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Your ref: CAF 15-1  
Our ref: Gov/CAF 15-1

Tel 0300 456 4000

4<sup>th</sup> February 2015

## Re: Freedom of Information Request

Thank you for your email of 16<sup>th</sup> January 2015. You made the following request:

Would you please supply the following information for cases in public law proceedings:

1. For the specified periods below, please state the number of cases in which there were concerns or evidence that a parent(s) has or is suspected of having a learning disability; please also state the available figures as a percentage of all care cases for the specified period: 2008-2009      2009-2010      2010-2011      2011-2012      2012-2013      2013-14
2. Please identify the source document(s) for the data held on this issue in each period
3. Please identify if/when policy changed regarding the collection of data on learning disability in care cases
4. Where national data is lacking, please state whether you hold any regional data, if so, the period, region(s) covered, resulting figures and as a percentage of cases for the period and the source documents from which the data was drawn.

Please see below for our response.

Baroness Tyler of Enfield Chair  
Anthony Douglas CBE Chief Executive





Cafcass does not require recording of data related to service users' learning disabilities. The current Cafcass position is set out in the Cafcass [Operating Framework](#) section 2.46:

*Cafcass does not collect diversity data nationally, in respect of service users, because we take the view that standard diversity monitoring forms often cannot capture useful information about children's diversity needs. Instead, it is the practitioner's responsibility to identify any diversity issues in a specific case. In addition to this requirement, each Cafcass service and service area has a responsibility to identify the diversity needs of groups of children living in their area where we are involved, and to take action accordingly. Such local diversity issues should be recorded, along with the action taken, in local business plans.*

However, prior to April 2010 Cafcass asked staff to collect some equality and diversity information via diversity monitoring forms. Please find this source document attached as requested; 'learning disability' was not a category used (please see the bottom of page 2 for recorded types), although it could be specified manually in the notes section.

This form was not consistently used across the organisation: out of all adults involved in care cases 2008-2014, only 33.52% have recorded forms (please see data below). The data was not considered reliable due to low level of compliance in completing the forms, and the fact that many forms were completed based on Local Authority referral or practitioner views, rather than service users' self-categorisation.

The requirement to complete the diversity monitoring form ended in April 2010, as any protected characteristics could be reflected in reports to the court. Recording the data is not required in order to fulfil the statutory function of Cafcass, and our position is stated in the Operating Framework as set out above.

Please see the below table for data held by Cafcass in relation to your request. The table shows the number of adults involved in care cases where the words 'learning disability/ies' have been found in the notes for manual specification of disability in the returned forms. Please note that this has not included a manual search of any other comments around this text and cannot be confirmed as a concern or evidence of learning disability.



Year	Total number of adults in care applications	Total number of forms returned	Number of people with 'learning disability' included in text
2008	9,779	6,233	118
2009	19,370	8,562	155
2010	16,698	6,462	119
2011	17,350	6,404	109
2012	18,815	5,667	112
2013	18,675	2,552	47
2014	9,704	1,125	24
<b>Grand Total</b>	<b>110,389</b>	<b>37,005</b>	<b>684</b>

Please note the following:

- This data is based on searching person records, which does not allow us to provide the data per case, as requested.
- It represents all respondents and 'Adults' on care applications where the case was received on or after April 1st 2008.
- A person on more than one case or care application will only appear once. Therefore the figures are provided are for unique people on cases within the total period.
- Learning disability was not recorded as an option for the disability field; a person has been counted as recorded with a learning disability by searching for the text 'learning dis\*' in the disability notes field. The \* indicates that any letters following 'dis' were searched for e.g. covering disability and disabilities.

Cafcass does not consider the above to be reliable data for reflecting the amount of care cases where adults have learning disabilities; the data reflects only a portion of cases, and within this it may not be reflective of the service users' self-categorisation. It may be helpful to ask HMCTS if any data is held on the number of applicants and respondents who do not have litigation capacity where the OS is involved, or look at those who are in receipt of adult social care/health services as a consequence of a learning disability.

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

Cafcass

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

Baroness Tyler of Enfield 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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