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Your ref: CAF 15-194  
Our ref: Gov/CAF 15-194

Tel 0300 456 4000

17 December 2015

## Re: Freedom of Information Request

Thank you for your email of 19 November 2015. You made the following requests for information:

Do cafcass have a policy on replying to emails and if so what is it ?

Can I also have an itinerary for mr Douglas next month

Please see below for our response.

Cafcass does not have a policy on replying to emails. However, the Cafcass [Operating Framework](#) (paragraphs 8.17–8.19) does set out the circumstances in which it may be necessary to consider limiting communication with a service user.

Please find below an itinerary for Anthony Douglas, Chief Executive of Cafcass, in the past month.

Date	Start	End	Description
16/11/2015	14.00	14.15	Telephone meeting MoJ
18/11/2015	14.00	15.30	Special Guardianship Steering Group (DfE)
19/11/2015	9.30	17.00	Midlands Circuit conference/seminar
24/11/2015	16.00	18.00	Resolution Parliamentary Reception Supporting families through separation
26/11/2015	10.00	16.00	Kent private law conference
27/11/2015	11.00	13.00	East Midlands Regional Adoption Leadership Board
27/11/2015	18.30	0.00	Social Worker of the Year awards
01/12/2015	16.00	17.00	British Association of Social Workers (BASW) Meeting
02/12/2015	10.00	12.00	Meeting Cafcass Cymru

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02/12/2015	12.00	14.00	Meeting Cafcass Cymru and Welsh Government Social Services
07/12/2015	9.45	10.30	Meeting MoJ
07/12/2015	15.00	16.00	Meeting with High Court Judge
08/12/2015	9.00	12.00	Guardian Social Lives seminar
08/12/2015	16.30	17.30	Judiciary conference call
10/12/2015	9.15	13.45	SCS Conference
10/12/2015	12.00	13.00	Fujitsu meeting
10/12/2015	14.00	15.00	Fujitsu meeting
10/12/2015	17.00	18.30	Cafcass Board Seminar
10/12/2015	19.00	22.00	Board dinner
11/12/2015	10.00	12.00	Cafcass Open Board Meeting
11/12/2015	12.00	13.00	Board Update meeting
15/12/2015	15.30	17.30	Family Justice Board
16/12/2015	14.15	16.15	Adoption Leadership Board

Cafcass is unable to provide information for future appointments and information relating to locations under the health and safety exemption (section 38 of the Freedom of Information Act, set out below). This has been applied because publication of this information could endanger the safety of Mr Douglas as a prominent representative of Cafcass, towards which some organised groups and individuals are hostile. In this case it has been decided that the public interest in maintaining this exemption outweighs the public interest in disclosing the information. Compromising the safety of the Cafcass Chief Executive would damage the effective working of Cafcass which is a public body necessary to the effective working of the family justice system. This outweighs the public interest in transparency and accountability of the activities and topics discussed, which can be provided after the event.

Some other external appointments have been exempted where their disclosure would be likely to inhibit the free and frank exchange of views between those involved within these types of meetings, and all internal meetings have been exempted as disclosure would be likely to prejudice the effective conduct of public affairs as these appointments are recent and relate to confidential or live issues which are not yet public or finalised (section 36 of the Freedom of Information Act, set out below). In this case it has been decided that the public interest in maintaining this exemption outweighs the public interest in disclosing the information. Compromising the safe space for developing ideas, debating issues and making decisions would damage the effective working of Cafcass which is a public body necessary to the effective working of the family justice system. This outweighs the public interest in transparency and accountability of the activities and topics discussed, which can be provided once final decisions have been made.

Please also note that some other information has also been exempted where the appointments relate to Mr Douglas' personal appointments, rather than professional

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appointments which relate to his work as a public official. These appointments only appear in his calendar to show availability and Mr Douglas has a reasonable expectation that these are kept private. They are exempt from disclosure under the personal information exemption (section 40 of the Freedom of Information Act, set out below), as it would not be fair to disclose information relating to individuals in their private capacity. 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.

*Health and safety - [Section 38 of the Freedom of Information Act](#) provides that:*

- (1) Information is exempt information if its disclosure under this Act would, or would be likely to—
  - (a) endanger the physical or mental health of any individual, or
  - (b) endanger the safety of any individual.

*Prejudice to effective conduct of public affairs – [Section 36 of the Freedom of Information Act](#) provides that:*

- (2) Information to which this section applies is exempt information if, in the reasonable opinion of a qualified person, disclosure of the information under this Act—
  - (b) would, or would be likely to, inhibit—
    - (i) the free and frank provision of advice, or
    - (ii) the free and frank exchange of views for the purposes of deliberation, or
  - (c) would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.

*Personal information - [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.
- (3) 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 ([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)

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