



Cafcass National Office
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21 Bloomsbury Street
London
WC1B 3HF

Your ref: CAF 16-25
Our ref: Gov/CAF 16-25

Tel 0300 456 4000

22 February 2016

Re: Freedom of Information Request

Thank you for your email of 18 February 2016. You made the following requests for information:

Who is responsible for ensuring that information is correct from a third party on a section 7 report? For example a school giving out information that was incorrect to the reporting officer.

Please see below for our response.

Cafcass is committed to compliance with its legislative duties under the Data Protection Act 1998. This includes ensuring that the personal information we process is accurate. Cafcass Family Court Advisors should do this by discussing the information with the parties, including information received from third parties, before reporting it to the court.

For example, as part of the work after first hearing in private law cases, further checks with agencies, such as schools, may be completed. The results from these checks and what they mean for the child currently should be explored with the individual parties. This is the responsibility of the practitioner completing this work. Please see this set out in paragraph 4.21 of the Cafcass [Operating Framework](#).

If the information received by Cafcass is incorrect, this discussion is an opportunity for service users to dispute its accuracy. The practitioner may consider it necessary to amend the information, or note that it is disputed within the court report. The practitioner should make clear to the court which factual issues are disputed or unclear and their potential relevance to the case. In the case of disputed information, it is for the court to determine whether or not to convene a fact finding hearing, which would determine allegations whose resolution is likely to affect the decision of the court.

Baroness Tyler of Enfield Chair
Anthony Douglas CBE Chief Executive





At any time anyone whose personal data is held by Cafcass has a right to ask Cafcass to correct any factual inaccuracies in that information. The data subject can detail the information which is factually inaccurate and the relevant corrections. Cafcass will either amend the information, or add a note to show that it is contested by the subject of the information. The court may be informed where relevant. This is set out with the [privacy notice for service users](#) which explains how their information is processed by Cafcass.

Furthermore, the Cafcass [Complaints Policy](#) can also be used by service users to alert Cafcass to factual errors within a report or other communication to the court. As part of the complaint procedure, an assessment is made to identify what remedial action can reasonably be taken by Cafcass. Where factual errors are identified by the Customer Services Team, they will take action to ensure that either the court is notified or the errors are corrected, where possible before the next court hearing (see sections 1.23 and 1.25). Where applicable, the complaint response will also be copied to the court.

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):

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

Yours sincerely,

Governance Team

Cafcass

Governance@cafcass.gsi.gov.uk

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Anthony Douglas CBE Chief Executive

