



Cafcass National Office
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21 Bloomsbury Street
London
WC1B 3HF

Your ref: CAF 16-63
Our ref: Gov/CAF 16-63

Tel 0300 456 4000

27 May 2016

Re: Freedom of Information Request

Thank you for your email of 1 May 2016. You made the following requests for information; please see our responses below:

1. xxxxxxxx undertakes work in Hampshire for CAF/CASS. Is xxxx an agency worker undertaking work on behalf of CAF/CASS, or is xxxx directly employed by CAF/CASS?

xxxxxxxxxxxx is directly employed by Cafcass.

2. During xxxxx work with CAF/CASS, how many complaints have been made in relation to this work? How many complaints against xxxx were upheld?

Cafcass is unable to disclose information about individual staff involvement in complaint procedures. Staff hold an expectation of confidentiality from disclosure into the public domain and it is therefore considered unfair to disclose this which would breach the first data protection principle. It is therefore be exempt under Section 40 of the Freedom of Information Act.

Please see our [Supervision Policy](#) and [Employee Relations Policy](#) for general information on how Cafcass practitioners' work and recommendations are monitored, and how employee relations issues are handled within Cafcass.

[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.

Baroness Tyler of Enfield Chair
Anthony Douglas CBE Chief Executive





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.

3. In the last two years, how many complaints were made about people working in the Portsmouth office of CAF/CASS?

Please see the table below for the number and category of complaints received in A6 (this includes both Portsmouth and Basingstoke office which are not possible to separate) in financial years 2014-15 and 2015-16. From March 2015 one complaint may be logged in more than one category, so the information has been given in percentages.

Complaints received in A6	2014-15		2015-16	
	#	%	#	%
Total number	40		24	
Complaint category				
1. Friendly, professional and respectful service	40%		40%	
2. Fairness of service	29%		32%	
3. Accessibility of service	4%		4%	
4. Working in children's best interests	21%		19%	
5. Provision of clear information	4%		0%	
6. Use of plain English	0%		0%	
7. Translation of information	2%		2%	
8. Listening to feedback	0%		0%	
9. Clear complaints process	0%		0%	
10. Solving problems quickly	0%		2%	

4. Of these complaints, how many are in relation to errors being presented in section 7 reports?





Complaint categories recorded centrally on our system are broad and do not therefore directly answer this specific question. The categories which are held can be seen above.

If any complaints related to this specific issue, the information would be held within the individual complaint file. It is not possible to provide this within a Freedom of Information response, as each file would need to be checked individually. The cost of compliance would exceed the appropriate limit which for Cafcass is £450. In our estimation the cost (a flat rate of £25 per hour provided by the FOI Act) would exceed the appropriate limit which is 18 hours for Cafcass, in order to complete one or more of the following activities permitted to be accounted for, which are:

- Determining whether the information is held;
- Locating the information, or a document containing it;
- Retrieving the information, or a document containing it; and
- Extracting the information from a document containing it.

A response to this request is therefore exempt under Section 12 of the Freedom of Information Act.

[12 Exemption where cost of compliance exceeds appropriate limit.](#)

1. *Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.*
2. *Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.*
3. *In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.*
4. *The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
(a) by one person, or
(b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,
the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.*
5. *The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.*

5. Further, how many of those compliments were upheld?





Complaint outcomes are not recorded due to the change in our complaints procedure in February 2012: the number of stages involved was reduced from three to one and the classification of complaints as 'upheld'/'partially upheld'/'not upheld' was ended. The focus of the complaints system is now on putting things right for service users while their case is ongoing so that any necessary remedial action can be taken.

6. How many section 7 reports were amended as a result?

This information is not centrally recorded, and therefore a response is exempt under section 12 of the Freedom of Information Act 2000 which has been set out above, as the cost of compliance necessitating examination of each complaint file would exceed the appropriate limit.

However, as set out in the [Cafcass Complaints Policy and Procedure](#) (section 1.26) '*Where factual errors are identified within a report or other communication to the court, the CST [Customer Services Team] will take action to ensure that either the court is notified or the errors are corrected, where possible before the next court hearing*'.

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

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Baroness Tyler of Enfield Chair
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