



## Recording and retention policy

### Overview

- This policy sets out the requirements placed by Cafcass on its staff and contractors relating to recording and retention of information in the child's record. It includes: requirements for recording, using Cafcass' case management system.<sup>1</sup>
- requirements for maintaining the security of information.
- the requirement that the Data Protection principles are adhered to within the child's record including ensuring that any information recorded is relevant to the issues in the case and the statutory functions of Cafcass.
- the roles and responsibilities for the creation, maintenance, access, storage, closure and destruction of child's records.<sup>2</sup>

Everyone who is working for Cafcass, including those on a contracted basis, must comply with this policy, unless there are exceptional reasons which justify a variation. In such situations, a clear explanation must be provided in the electronic record, and a manager notified as soon as possible.

This policy should be read in conjunction with the *Reporting to court* policy, for expectations in relation to the sharing of records and transparency of case recording and reporting.

### Why this is important for children?

This policy makes sure that all the information we have about a child is recorded properly and kept safe. It helps everyone working with Cafcass know what they need to do to make sure the child's information is accurate and secure.

#### 1.0 The child's record

1.1 The child's record is held on ChildFirst, consisting of the folders set out in the appendix. Where two guardians are appointed in the same proceedings, there will be two separate case files.

1.2 Practitioners are responsible for:

- Ensuring that each child's record is reviewed within 48 hours of allocation and on reallocation, and the outcome recorded on the child's record.
- Ensuring the child's record is updated in relation to the child being seen within three working days of the meeting.
- Ensuring that recording creates a comprehensive and consistent record, with information recorded contemporaneously<sup>3</sup> whenever appropriate;

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<sup>1</sup> Information for staff on using the case management system is available on the intranet

<sup>2</sup> A moratorium was introduced in March 2015, during which time no files containing case related data should be destroyed. This remains in place until further notice.

<sup>3</sup> For the purposes of case recording in Cafcass, contemporaneous recordings means those made either at the time of the event, or so shortly afterwards that the facts are fresh in the memory of the author. For the purposes of this policy this must be within three working days of the event.

- Ensuring that the child’s record reflects the uniqueness of the child and their family. The record or report should not state that there are ‘no diversity issues’ or ‘no relevant diversity issues’ as child centred practice will by its very nature always consider the uniqueness of each child, and be reflected in the recording;
- Updating the child’s record with all information pertaining to the family and the proceedings, such as the recording of diversity information, the recording of ‘child needs’ information; recording every time they have seen, spoken or communicated with a child; and that all information (e.g. hearing dates, filing dates) is accurate and complete;
- Clearly marking on the child’s record any information (including addresses) that is confidential, specifying who it can and cannot be shared with and ensuring that there is nothing recorded or reported to the court that allows any “jigsaw” identification of confidential information, for example naming a school, nursery or GP practice when the address of the party is confidential;
- Ensuring that all relevant actions on the child’s record relating to their analysis, planning and intervention are contemporaneously recorded;
- Ensuring that all information recorded is relevant to the issues in the application and can be justified as relevant to the proceedings including for example references to the welfare of other children or experiences in past relationships. While there may be a reason to refer to such matters, they must only be included in the case record if relevant and accurate;
- Ensuring that any inaccurate information recorded is rectified or deleted from the file once the inaccuracy is discovered;
- Ensuring that relevant information received by them from individuals or agencies external to Cafcass is scanned and saved onto the case record and ensuring that no information relating to the proceedings is shared with those individuals or agencies without the permission of the court or confirming that they are within the exceptions to the confidentiality requirement set out in the Family Procedure Rules;
- Ensuring that the record is updated when Cafcass is made aware of an adult or child’s new address, and recording professional judgement about whether a new local authority check is required;
- Setting up the Outlook auto-forwarding rule to forward case alert notifications to the locally agreed business services mailbox, when out of the office; and
- Setting up an auto-forward for business services staff, so that business services staff are alerted to incoming correspondence.

1.3 Business services managers are responsible for:

- having systems in place so that all case related communication and information processed by Cafcass is recorded in the contact log by the recipient and, within one working day, scanned to the case record. This includes information received from any source (e.g. telephone message, letter or personal caller) with date, time, information or message and any action required, to alert the practitioner or manager responsible; and
- arranging for any paper court bundles or items belonging to families, in the care of Cafcass as part of indirect contact arrangements, to be stored securely on Cafcass premises for as long as required.
- Update the child’s record with the date of death if the child or adult dies and review all correspondence sent to ensure it is appropriate.

1.4 Service managers are responsible for:

- ensuring there is a duty system in place so that information from any source is recorded on the contact log by its recipient, and that the SM or allocated practitioner is alerted;
- ensuring the correct allocation of work in the case management system;
- overseeing quality of casework, decisions and case closure in the case management system;
- entering on the child's record: relevant information prior to allocation; case related actions arising from supervision or complaints; any relevant information if the practitioner has an extended absence from work;
- ensuring that the approval process is carried out in ChildFirst for each report or letter filed. Only FCAs having been assessed to 'self-file' by the service manager within the Cafcass PLR system have the permission to opt to self-approve. All other reports should be approved by a assistant service manager (ASM) or service manager (SM);
- not approving any report where any changes are needed to bring it up to a good standard;
- ensuring that ALL information in the report or included in the child's record is relevant to the issues which are being considered in the proceedings and challenging any information which appears to fall outside what is relevant
- ensuring that the approver does not make track changes or amendments to the report; any changes required should be noted using the Microsoft Word 'comments' facility or, if extensive, in an attached Word document or Quality Assurance & Impact (QAI) tool.
- Ensure the child's record is updated with the date of death if the child or adult dies and review all correspondence sent to ensure it is appropriate.

1.5 Paper court bundles are not to be scanned or saved to the case record. They are to be kept in paper form in a secure office location throughout the life of the case and shredded at the point of case closure. When documents that make up the court bundle are received electronically and saved to the case record, these should be added to the 'court bundle' folder, which is automatically deleted following case closure.

1.6 If a document is received that cannot be scanned (for example a child's drawing that is too large to be scanned) a photograph of it should be taken and then saved onto the case record. Most documents can be scanned, and originals returned to source or destroyed, once the quality of the scan has been checked.

1.7 In private law applications the Cafcass intake team will set up the file and will be responsible for transferring cases to local teams when the screening stage is complete. In public law, this is done locally. The child's record is organised into separate sections as set out in the appendix.

## **2.0 Cafcass associates**

2.1 When a case is allocated to a Cafcass associate it will also be created in ChildFirst. Associates are required to ensure all their case work is completed on Cafcass current templates in ChildFirst and should complete case recording and the assessment and child's plan in the timescales set out in this policy and the engaging with and seeing children policy. The responsibilities of Cafcass FCAs in relation to security of information, relevance and accuracy apply to Cafcass associates in the same way as employed staff.

## **3.0 Security of information in all cases**

- 3.1 Documents saved to the case record must follow this standard file naming convention: child's name, Cafcass case number, document name.
- 3.2 Reports must be filed as PDF files, and the filed version saved as a PDF, so that the document can no longer be amended. The date on which a report is filed at court must be recorded in the contact log. Any earlier draft version(s) should be deleted at the point at which finalised reports are saved as a PDF and filed, apart from one Word version of the court report, to allow for future submissions that require additions to the original. When sending the report for approval, it is automatically created into a PDF on approval. On initiating the process, FCAs must not tick the box to delete the Word document.
- 3.3 Any other documents to be sent externally, including letters, must be saved as a PDF file prior to emailing so they cannot be amended and track changes cannot be viewed by the recipient. The letter must be uploaded and saved to the correspondence section, with the sending recorded on the contact log.
- 3.4 Third party paper documents that are saved as part of the case record (e.g. a child's drawing, correspondence from third parties) must be saved within seven days of receipt of the document by Cafcass. The image must be checked for legibility and the original then destroyed or returned to source (as deemed appropriate by the FCA).
- 3.5 Any paper document relevant to the child's record that cannot be scanned or saved must be stored in a locked cabinet when not being actively worked on, and a record of the location completed in the contact log. No case-related information may be left unsecured. Workstations must be cleared of case-related material when the worker using the material completes the work or leaves the office for more than a brief period. Any member of staff finding unsecured case-related information must take action to secure it.<sup>4</sup>
- 3.6 Hard copies of documents containing personal/sensitive personal information (e.g. safeguarding letters and court reports) should not be printed or removed from Cafcass offices (including home-based offices). All documents contained within the child's record can be accessed and worked on offline and should not be printed for reference. Court bundles received in paper form from local authorities should be used throughout the life of the case and shredded at case closure (see paragraph 2.5). In situations where staff or Associates must carry paper information away from its secure base all necessary steps must be taken to ensure its location is always known, its security, and its later destruction.<sup>5</sup>
- 3.7 The printing of personal/sensitive personal information provided by third parties (e.g. police, health bodies and local authorities) about families is prohibited in all circumstances.
- 3.8 All Cafcass case related data is at the security classification level OFFICIAL and will usually contain sensitive personal information of families. It therefore needs to be sent securely when it is shared or transferred to avoid unauthorised disclosure, which could breach the Data Protection Act 2018 and the Family Procedure Rules 2010. For guidance on how to share and transfer the child's record data by post or by email please refer to appendix 2.

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<sup>4</sup> See the [Information Assurance Policy](#) for more detailed guidance about the security of all (i.e. not just case related) information.

<sup>5</sup> This requirement applies irrespective of employment status or work-base. For those who are home-based, the secure base will be the home office rather than a Cafcass office.

- 3.9 When paper information is being moved between offices, the business services managers at the initiating and receiving office must be informed so that the movement of the file can be tracked. The office that sends the document or file retains responsibility for the file until it is signed for by the receiving office. The office that sends the document is responsible for informing Governance of the change in location.
- 3.10 The receiving office must be informed, by the initiating office, of the expected arrival time of case-related paper information. Its receipt must be confirmed by email and its location recorded.
- 3.11 Neither paper documents nor the case-related data that is stored on a laptop or other electronic device are to be left unattended, for example in a car, on public transport or in any other public place. Laptops and tablets should always be locked when not in use. The person responsible for the information should always know its location.
- 3.12 When the child's record is accessed offline away from a Cafcass office e.g. in court or at home, the practitioner is responsible for its safety. The screen must be kept out of view of others to ensure the information is kept safe.
- 3.13 The records may only be accessed for the purposes of undertaking relevant and necessary work on the file (such as quality assurance) including recording case-related messages; and for research or other corporate reporting needs (e.g. aggregation for inspections, reports for Ministers).
- 3.14 When a child's record needs to be sealed for a serious incident review, an electronic copy of the file must be taken immediately by the head of practice and saved outside the case record in a zipped file, with the date copied in the file name. This serves as the 'sealed' record of the case at that point in time.

#### **4.0 Shielding cases**

- 4.1 In some proceedings that meet the criteria set out in paragraph 5.2 it may be necessary to restrict access, by shielding, all case related information held by Cafcass to prevent sharing information that could increase the risk of harm to a child, adult, staff member or associate or compromise the confidentiality of a high-profile party.
- 4.2 A decision to shield a case may only be taken by an assistant director following a recommendation made by an FCA and supported by a service manager. Once this decision has been made it is for the service manager to decide who should have access to the case information once it has been shielded (i.e. FCA/BS/SM/Cafcass lawyer). Shielding decisions will be made on a case-by-case basis, at any point during the proceedings, to prevent the following:
- placing a child at risk of a serious incident;
  - putting a child's adoption/placement at risk;
  - placing an adult at risk of a serious incident;
  - prejudicing the prevention or detection of a serious crime;
  - risk to staff or associates;
  - prejudicing a high-profile case (including radicalisation);<sup>6</sup> or

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<sup>6</sup> Cafcass' Corporate Management Team will be alerted to any case that is shielded due to high profile or likely media interest.

- accessing of case information when a staff member is also a party.

4.3 The FCA is responsible (with assistance from business services) for locating and shielding the child's record (including any associated closed cases) on all case recording systems. Please see guidance for how to shield the child's record information in ChildFirst and in archive children's cases on the intranet.

4.4 Examples of when an individual (and therefore any relevant cases) could be shielded are:<sup>7</sup>

- A child's placement or location is to remain secret and there are perceived risks to this information being elicited by deceit or threat;
- There is a court order preventing the disclosure of the child and/or their parent/carer's whereabouts and there is a perceived risk of this being elicited by deceit or threat;
- A child and/or their parent/carer or family member are subject to witness protection;
- To protect the well-being of children and their adult family members where there is a high risk of publicity, causing distress, should the security of the system be breached;
- When there may be a risk to an allocated worker or other member of staff working on the case if their name is known;
- Staff members are themselves a party to proceedings; or
- The need to shield may also arise in a very limited number of unique circumstances not covered by the above categories, such as siblings of children in the above categories, and all should be assessed on a case-by-case basis.

## 5.0 Secure emails

5.1 Cafcass uses Egress secure email. Cafcass staff are not authorised to send protected information to agencies and families via non-secure email. Cafcass staff must use Egress to send case-related information to agencies and families where secure email is not available. No case-related material must ever be sent to a staff member's personal/non-Cafcass email address (for further information about email security, refer to the [Information Assurance Policy](#)).

5.2 When receiving case-related information via email, staff must ensure that agencies and professionals working with us understand that sending emails to Cafcass is secure and they are not required to password protect documents. More information on Egress is available on the [Cafcass website](#) for Egress email recipients and associates, and on the Intranet for Cafcass staff.

5.3 Staff are encouraged to send system generated emails including, for example to inform:

- Local authority of closure of a case;
- Court of allocation or closure of a case and appointment of a solicitor; or
- Solicitor of closure of a case.

Check boxes are to be selected when the generated emails are appropriate and are automatically sent to the agency email addresses stored in the database.

## 6.0 Monitoring the child's record

6.1 The service manager is responsible for:

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<sup>7</sup> A confidentiality request on the c100 does not of itself warrant a shield request unless reinforced by one of the categories.

- reviewing management information reports and data compliance reports on a regular basis to ensure that data is accurate and complete in all cases;
- regularly reviewing the quality of case recording and case planning, and recording this in the Assessment and child's plan at appropriate intervals; Assessment and child's plan reviews appear in the Service Manager dashboard;
- accessing reports for audit as required under the Quality Assurance & Impact (QAI) Framework and recording in the contact log when a QAI tool has been completed. QAI tools must be completed and logged on the electronic QAI system in line with the QAI Framework unless the reviewing of a report is through the approval process;
- Approving reports through the approval process (section 2.4) and recording points for improvement or amendment appropriately; and
- reviewing cases of non-self-regulators for closure and recording the closure authorisation within the electronic Assessment and child's plan, prior to business services changing the case status to closed.

6.2 The business services manager is responsible for:

- the oversight of team data quality and integrity;
- reviewing management information reports and data compliance reports monthly to ensure that data is accurate and complete in all cases.

6.3 The national improvement service managers are responsible for:

- completing QAI tools in SharePoint when requested or when appropriate;
- undertaking the approval process when requested;
- periodic audits of child's records and reporting any recommendations for action to the head of practice/assistant director, as commissioned by an operational director; and
- undertaking regular audits of business services responsibilities, data integrity, as commissioned or agreed within internal audit schedules.

6.4 The operational directors, as 'information asset owner' in respect of case records, are responsible for:

- carrying ultimate responsibility for the quality and security of case related information throughout Cafcass' operational areas; and
- commissioning periodic audits to monitor the quality of case recording and compliance with this policy.

6.5 The heads of practice and assistant directors are responsible for:

- implementation of this policy and any associated guidance that may from time to time be issued within their area;
- ensuring that service managers monitor case recording as set out above, and recording this in the performance management system;
- ensuring that management information data compliance is achieved to reflect accurate performance information in each service area; and
- undertaking periodic audits to monitor the quality of case recording and compliance with this policy.

## **7.0 The Assessment and child's plan**

- 7.1 The Assessment and child's plan must be completed in all public law and private law WAFH cases.
- 7.2 The purpose of the Assessment and child's Plan is to set out the planning, reflection, analysis and management oversight that is undertaken throughout the life of the case.

Public law proceedings

- 7.3 In public law proceedings, a plan must be commenced at the initiation of our involvement in the proceedings. FCAs should make initial updates within 5 working days of the first lead allocation on the child's file. The Assessment and child's plan should be reviewed by a manager by 15 working days of the initial lead allocation on that child's file.
- 7.4 The 'impact and plan update' section of the plan should be updated no later than the 22 week point for public law children's cases, with subsequent reviews and updates to be added at 12-week intervals.

Private law proceedings

- 7.5 In private law proceedings, a plan must be commenced upon being directed to undertake work after first hearing and should be initiated by Early Intervention Teams. The EIT FCA should complete the first 2 sections of the assessment and child's plan clearly setting out what the current arrangements are for the child, details of the child's uniqueness and what was ordered at FHDRA. Practitioners should make initial updates with 2 working days of a work after first hearing report\* being received by Cafcass, this excludes when only a S16A Risk Assessment is recorded. The Assessment and child's plan should then be updated by the first lead allocated practitioner in the Work After First Hearing team within 5 working days of allocation and should be reviewed by a manager by 15 working days after this allocation on that child's file.
- 7.6 The Impact and Plan Update section of the plan should be updated at key points prior to filing the s.7 report , with subsequent reviews and updates to be added at 12-week intervals if further work is ordered

\*Below is a list of WAFH report types that when added to ChildFirst begin the process of a plan being initiated by EIT:

16.4 Report	Enquiry from Foreign Court	Positive Parenting Programme Report
Child Abduction	FAO Report	S(11H) Monitoring
CIR Part 2	High Court Team	S7 Addendum Report
CIR Review	Other Non s7 Report	Section 7 Report
Supervised Contact	Parental Order Report	

Subsequent manager reviews

- 7.7 Following the initial manager review of the Assessment and child's plan, future reviews should be planned as required by adding a future date to the most recent plan review. Reviews may also be requested via practitioner updates to the Impact and Plan Update section of the plan.



7.8 Completed elements of the plan must be marked as such and dated. The outcomes of court hearings are recorded on the Assessment and child's plan and the SM/ASM will sign the plan on completion of the work undertaken, either at a review trigger point or prior to case closure.

## **8.0 Child's record closure**

8.1 For both private and public law cases, employed practitioners who have been confirmed in post, assistant service managers and service managers may close cases, provided that the closure checklist has been completed (appendix 3). Business services may also be instructed to close a case provided that the closure checklist has been completed prior to the instruction being sent. Where practice staff are closing cases in private law, they must ensure that business services are instructed to send closure letters or generate and send the closure letters to parties themselves.

8.2 Where employed practitioners do not have authority to sign off cases for closure, they must inform their service manager by email when it is ready for closure, to enable closure to be completed by business services within the timescales set out below. The cases due for closure will appear in the service manager dashboard.

8.3 Cafcass Associates will ensure at the conclusion of proceedings that all case documents have been entered onto ChildFirst and confirm with business services that they do not have any case information held on any other device so that the case can be reviewed and closed.

## **8.4 Private law:**

8.5 A work to first hearing case is closed when:

- the FHDRA outcome and legal output is completed by the practitioner with confirmation of the outcome of the first hearing, and that the case is ready for closure. Outcomes are to be submitted by the end of the working day following the hearing. In some circumstances, where safe to do so, children's cases can be closed with 'unknown legal outcome'.
- safeguarding checks have been completed, or it is recorded on the child's file that checks are not required;<sup>8</sup> and
- the outcome is recorded by the FCA or a member of business services; and
- the case is registered as closed.

8.6 A work after first hearing case is closed when:

- the outcome section of the Assessment and child's plan is completed, either with final legal outcome or 'unknown legal outcome'; and
- there are no future hearings for Cafcass; and
- it is authorised for closure via the local management process; and
- the outcome is recorded, or logged as unknown; and
- the case is registered as closed.

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<sup>8</sup> If parties have not been spoken to, or safeguarding checks are required but not complete, the case is referred to the service manager or assistant service manager for a decision on closure. In any event, cases that remain open to Cafcass due to an inability to complete safeguarding, and where no future hearing has been set, should be closed two months after the FHDRA.

- 8.7 The allocated practitioner must complete the case closure section of the Assessment and child's plan (except in WTFH cases), including confirmation that Cafcass safeguarding responsibilities have been completed, and inform the service manager that the case is ready for closure (or self-close if applicable) within four weeks of: either the filing of the s7 report if the practitioner has not been ordered to attend the final hearing or; a hearing where no further work is ordered. There is no expectation to upload an order received on a closed case, unless this is an order for further work to be completed by Cafcass.
- 8.8 If there has been commissioned work in relation to the family, all work must be uploaded into the correct folder (see appendix 1) and the Assessment and child's plan section updated. Sign off procedures must have been followed by the FCA and service provider, according to National Commissioning Team guidance and procedures.
- 8.9 Public law:**
- 8.10 The allocated practitioner must complete the case closure section of the case plan and inform the service manager the case is ready for closure (or self-close if applicable), within four weeks of the final hearing date.
- 8.11 If the practitioner was not present at the final hearing they are responsible for ascertaining the outcome and for undertaking any final work that may be needed with the child, other family members, the Independent Reviewing Officer (IRO) or other local authority staff. This includes formal handover to the IRO as per the national joint protocol.
- 8.12 The case may be closed without a copy of the order, but the court decision must be noted by the practitioner. If the order is received from the court within four weeks of the final hearing, it must be scanned and saved to the case record.
- 8.13 Public and private law:**
- 8.14 Where a service manager has authorised a practitioner to close their case, the service manager is also responsible for periodically assessing the quality of the practitioner's closure practice, to be satisfied that the continuing delegation of closure authority is justified. This assessment must be carried out at least annually and discussed/recorded in supervision, as set out in the Quality Improvement and Assurance Framework.
- 8.15 Where practitioners have been assessed as not meeting case closure or other service standards or are within their first six months of employment with Cafcass, the service manager must review the file before closure, and electronically countersign the closure in the Assessment and child's plan.
- 8.16 Business services must ensure that systems are in place so that files can be closed promptly.
- 8.17 Business services must ensure that such paper files as appropriately exist are boxed in accordance with the Cafcass storage and labelling protocol, with a note of the contents of each box filed electronically in a local Archive Register for easy retrieval. The Governance team is maintaining a centrally held spreadsheet of changes to location of closed paper files.

Business services must ensure that any changes to location of a closed case paper file is provided to Governance as soon as the file location is changed.

- 8.18 The closed case will remain in My Teams Closed Cases for one month, at which point it is automatically archived.

## **9.0 Retention and deletion of case records and supplementary paper case information**

- 9.1 Information arising from Cafcass' involvement in a case is to be retained until the youngest child who is the subject of the proceedings in the case has reached the age of 25 years. In cases where the child dies before the age of 25 years, the information is to be retained until the 25th anniversary of the child's birth. At this point, the entire case record is to be deleted.<sup>9</sup> Support is provided to people who have been the subject of family proceedings (as children) who wish to access their records taking into account the limitations set out in the Family Procedure Rules on disclosing information relating to proceedings to anyone who is not a party to those proceedings.
- 9.2 Within four weeks of the date of the final hearing, paper court bundles must be destroyed unless a decision is made that they need to be retained. Such a decision, and the reasons for it, must be recorded on the case record.
- 9.3 In cases of exceptional sensitivity, including those where a future public interest issue may arise, the head of practice/assistant director and the operational directors may jointly decide that the information must be retained for a longer period.
- 9.4 The business services manager is responsible for monitoring the archive and ensuring that files are deleted once the retention period has expired.

## **10.0 Police information**

- 10.1 Police information must always be retained for three months from the date of receipt - even if a WTFH case concludes earlier than that - because repeat checks may not be undertaken if a new application is received within three months of the date when a case is closed, unless there is reason to believe that there has been police involvement in the meantime.
- 10.2 When police documents are received electronically they should be added to the 'police information' folder. Information provided by the police, including international and military police, will be automatically deleted 18 months after its receipt, or when the case is closed to Cafcass, whichever is the earlier. WTFH police documents will be automatically deleted three months from the date of receipt, even if a WTFH case concludes earlier than that.
- 10.3 As set out in paragraph 3.7, the printing of third-party information about families is prohibited.

## **11.0 Continuity of business planning for case recording**

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<sup>9</sup> Detailed guidance of the deletion of all confidential information (not just case recording) is provided in the Information Assurance Policy.

11.1 In the unlikely event of failure of the case management system, case documents must be stored temporarily on local drives until it is restored. The head of IT will issue a directive for the appropriate continuity process, depending on the type of failure being experienced.

## 12.0 Local authority referrals – other children (not named in the proceedings)

12.1 Where a referral is deemed appropriate for a child who is not the named subject child, but is identified during work with a family, the referral should be completed and sent to the relevant local authority.

12.2 The referred child should be added to the family’s case file as an ‘other child’ and the referral document uploaded to the risk and safety folder of the electronic case file.

12.3 The referral should be recorded on the contact log and clearly state whether the referral was accepted or rejected by the local authority.

12.4 The referral should be closed once the local authority accepts it, or after seven days with the approval of a service manager, whichever is sooner. All decisions regarding closure of the referral should be clearly recorded on the contact log including any follow up actions required if a referral is rejected.

12.5 The referral document should be saved on the case file for 30 calendar days and will automatically delete at the point of case closure, or 30 calendar days, whichever is sooner.

<b>Owned by</b>	Sarah Parsons, Deputy Director
<b>Approved by</b>	OMT
<b>Approved on</b>	15 July 2015
<b>Implemented</b>	30 July 2015
<b>Amended</b>	<p>11 January 2022</p> <ul style="list-style-type: none"> <li>• Additional sections on relevance of information recorded</li> <li>• Amending language to meet requirements of Together</li> <li>• Added that the child’s record must be updated with the date of death if the child or adult dies and correspondence reviewed</li> <li>• Updated throughout to emphasise the importance of maintaining confidentiality</li> </ul> <p>11<sup>th</sup> January 2023</p> <ul style="list-style-type: none"> <li>• Foot notes removed relating to moratorium on deleting files no longer in use. To be further updated in Feb 23 after IAB consulted.</li> </ul> <p>Jan 24</p> <p>Section 7 updated in line with Engaging with and seeing children policy. References to case plan updated to Assessment and child’s plan, and PS updated to ASM.</p> <p>March 2024</p> <p>9.5 case closure within four weeks instead of two. Layout updated.</p> <p>1.2 review of child’s record within 48 hours of ‘reallocation’ added.</p>
<b>Version</b>	3.18 (March 2024)

<b>Review date</b>	January 2025
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## **Appendix 1: Organisation of electronic child's record**

<b>Document folders</b>
<p><b>Case information</b></p> <p>Pre-14 July 2014 contact logs are saved as PDFs in the case information section.</p> <p>This section should include any detailed contact recording.</p> <p><u>Detailed contact recording</u></p> <p>More detailed recordings should be stored separately from the contact log.</p> <p>The following is important:</p> <ul style="list-style-type: none"><li>• Detailed recordings (such as the notes of interviews) can be stored separately from the contact log. A contemporaneous note has to be kept of meetings, including direct work with the child.</li><li>• Handwritten notes can be scanned if they are legible or, if they are not legible, they should be typed up. Once scanned or typed, the handwritten version can be destroyed.</li><li>• Where handwritten notes are taken using OneNote or Word, using a tablet, they can be converted to text. The original handwritten copy (either in OneNote, Word, or converted to pdf) should not be saved and can be deleted once the text transcription has been proofread by the author to ensure that it is an accurate copy of the handwritten note.</li><li>• Notes should be saved under date of activity and type of contact. The use of the general term 'interview' should be avoided, unless it is also made clear whether it was conducted on a face-to-face basis or by telephone.</li><li>• Detailed recordings should always include information about the date/time of the work; name of worker; name/role of every person involved; nature of contact; venue; brief outline of what happened; next steps agreed; and actions taken afterwards.</li></ul>
<p><b>The contact log</b></p> <p>The contact log is a running record of all actions in the case and should be cross referenced to other documents (detailed recording/case plans/Safeguarding letters/ position statements etc.).</p> <p>Pre-14 July 2014 contact logs are saved as PDFs in the case information section. From 14 July 2014, the contact log is built into the case record and is both automatically and manually populated. A Word document can be generated with the content of the contact log, either to view as a document or to save as a PDF in response to a SAR. This document is not to be edited or updated or used as a running record or secondary contact log and is to be deleted from the case record when no longer needed.</p> <p>If amending previous contact log entries, the reason for amendment is to be recorded. The modified date will be visible on the case record and who modified the log, however the previous version will no longer be available.</p> <p>Manually entered contact log entries will include an automatic entry of the name of the staff member completing the entry and their role. A suitable contact log heading should be selected, a summary of any information received and/or provided including the name/role of person spoken to or seen; and a note of any actions agreed should be included. In the record. If editing or amending previous contact log entries, the reason for amendment is to be recorded.</p> <p>Where items belonging to a family are being stored on Cafcass premises, as part of arrangements for indirect contact, their location should be recorded on the contact log.</p> <p>Pre-allocation:</p> <p>The contact log can be started before allocation if any work is done by the service manager, business services staff, or duty practitioner (if applicable) if any work is done at that stage. In Private law, this commences on receipt of the C100 at the Cafcass Intake Team and should</p>

<p>include the recording of screening requests, the requesting/receipt of screening information from LAs and Police, and the issuing of welcome letters.</p> <p>In WAFH and public law care cases, when a decision is made for the practitioner not to see a child as part of the work, the professional basis for this decision must be recorded in the case file.</p>
<p><b>Correspondence</b></p> <p>Scan or save here all case-related correspondence, including the welcome letter and letter to parties, <u>with the exception of</u>:</p> <ul style="list-style-type: none"> <li>• Correspondence from any lawyer instructed by the Cafcass practitioner (saved in legal advice); and</li> <li>• Cafcass correspondence to the court if this is in place of a report (saved in reporting to court).</li> </ul> <p>Where case information is contained in emails, these must be saved and must not be kept in Outlook. Emails must only be embedded into the contact log where they add to the case narrative and do not contain extraneous non-case related information.</p>
<p><b>Assessment and Child's Plan</b></p> <p>The Assessment and Child's Plan accessed through the tab on ChildFirst must be completed in all public and private law WAFH cases.</p>
<p><b>Risk and safety process</b></p> <p>Scan and/or save here:</p> <ul style="list-style-type: none"> <li>• Information received in response to screening checks, e.g. from local authorities, with the exception of information from the police which should instead be saved in the police information folder; Safety assessment documentation. For meetings you should still make a note on the contact log and cross-refer where appropriate to the detailed notes in this section;</li> <li>• any welfare referral;</li> <li>• any referral to the local authority designated officer (LADO) about a person who works with children</li> <li>• notice to Children's Social Care of completion of case (where a referral has been made); and</li> <li>• Any tools used with parties (tools used with children are saved in Direct Work)</li> </ul> <p>Where no risk is identified from screening or during initial work, but is identified later, it must be recorded on the Child's Plan and drawn to the attention of a manager either as part of formal supervision or ad hoc discussion.</p>
<p><b>Reporting to court</b></p> <p>All templates should be accessed from the reports tab each time a new report is recorded.</p> <p>Scan or save here:</p> <ul style="list-style-type: none"> <li>• Reports, including Safeguarding Letter; and</li> <li>• Any correspondence to the court by the allocated practitioner, which is provided in place of a report, such as a letter to the court at the end of a Family Assistance Order for placing on the court file, advising of developments during the FAO.</li> </ul>
<p><b>Direct work</b></p> <p>Scan or save here: all work done directly with the child or young person, including if the child met with the judge. Drawings, letters, and any other documents may require scanning to save in this section of the file. The use of any tools in direct work with children should be saved here.</p>
<p><b>Court orders</b></p> <p>Scan or save all orders and directions made by the court. If these are contained within the separate court bundle, cross-refer in this section.</p>

**Court papers**

Scan or save here:

- Court papers including applications and statements; and
- Any Cafcass information from a previous case.

Electronic bundles, including court information that does not need to be retained as part of the case file, should be saved to the court bundle folder, which is automatically deleted following case closure.

**Experts & agency info**

Scan or save here:

- Letters of instruction;
- Notes of meetings with experts (if handwritten, must be legible); and
- Experts' reports
- All correspondence, notes, referral forms and reports from commissioned service providers
- Other agency documentation such as copies of papers from the child's file; minutes of child protection conference.

**Legal advice**

This is privileged legal advice to Cafcass that is not to be disclosed. The purpose of storing this information in a separate section is to limit the risk of inadvertent disclosure, should a subject access request be received.

Save or scan here:

- Correspondence to and from Cafcass Legal;
- Correspondence to and from the child's solicitor or other lawyer, who is instructed by the Cafcass practitioner; and
- Notes of meetings and telephone calls with Cafcass legal, the child's solicitor or any other lawyer who is instructed by the Cafcass practitioner.

Do not store here correspondence from the child's solicitor if there has been a formal separation between the young person and the children's guardian. In these circumstances, the correspondence will relate to the case but will not have the status of privileged legal advice.

**Further information**

Save or scan here any additional information, for example, any informal contact e.g. a thank-you card.

QAI tools should be stored outside of the case record as they relate to the quality of work and performance of an individual. Decisions made during QAI should be recorded in the case plan or contact log, whichever is more appropriate.

**Court bundle**

Save here any electronic documents not retained as part of the case file. This folder will be automatically deleted following case closure.

**Police information**

Save here any information received from the police e.g. PNC record. In accordance with the Case Recording and Retention Policy, the 'police information' folder will be automatically deleted on case closure; unless this includes WTFH police documents which will be automatically deleted three months from the date of receipt, even if a WTFH case concludes earlier than that.



## Appendix 2: How to share and transfer case related data

Common information type	How information is generated	How information is received	Transfer reason	Transfer method
<b>Other agency check requests</b> (e.g. police/LA)	Internally	N/A	To request information from other agency for safeguarding check	Email via Egress*
<b>Case information</b> taken from files e.g. Subject Access Request (SAR) and complaints file	External case documents plus Cafcass generated casework	Cafcass holds this information.	SAR and Complaints file information requested by families and possibly other organisations.	1) Email via Egress* 2) If no email address is available use Royal Mail Signed For
<b>Case file</b>	External case documents plus Cafcass generated casework	External information received by email and post	Case transfer between offices and handover to/from Associate.	Transfer between teams. For hard copy files use Royal Mail Special Delivery Guaranteed or hand delivery
<b>Family correspondence</b> including Welcome Pack, Safeguarding Letters and Court Reports	Both internally and externally		Correspondence with families	1) Email via Egress*. Emails should only be sent to one verified email address to avoid disclosing email addresses to other parties (or use BCC). 2) If no verified email address is available: <ul style="list-style-type: none"> <li>• Welcome Packs, allocation letters and appointment letters can be sent by standard Royal Mail but they must have a return address stamped on the envelope.</li> <li>• Where physical addresses have been confirmed with the parties by the EIT FCA, safeguarding letters can be sent by standard Royal Mail with a return address; this is an accepted risk due to the need for quick turnaround. If there is concern over the sensitivity of the contents, these can be sent by secure/recorded methods. If the parties have not been spoken to or not had their addresses confirmed, safeguarding Letters should <b>not</b> be sent to unverified physical addresses. This prevents the risk of sensitive information being sent to an incorrect address.</li> <li>• Other court reports and any other correspondence which gives detailed information of the case may only</li> </ul>

				<p>be sent to parties via a verified email address or by Recorded Delivery to a confirmed physical address (confirmed by the allocated WAFH FCA and recorded on the contact log). Where a physical address is confirmed at EIT stage, WAFH FCAs should still confirm the physical address of parties prior to the filing of any subsequent or addendum report.</p> <ul style="list-style-type: none"> <li>• If the adult or child wishes, documents can be collected in person provided their identity is confirmed</li> </ul>
<b>Court correspondence</b>	Both internally and externally	Email and post	Sharing information with courts	Email via Egress*
<b>Solicitors/local authorities correspondence</b>	Both internally and externally	Post/email	Sharing information	Email via Egress*
<b>HMCTS forms e.g. C100/C1A</b>	Externally	Email from Courts/DX	Movement of case information between offices	Scan in document (National Business Centre/DCS at Slough) and place on the case record. Cases are transferred between teams.
<b>Other agency checks</b>	Externally	Secure email	N/A: Checks should not be printed or shared in their original form.	

#### **Notes & Glossary:**

- \* Egress encryption will:
  - send Egress secure emails to non-secure addresses: this includes .gov.uk.
  - send plain text emails to secure email addresses: these include addresses containing gsi, gcsx, cjsm, pnn or nhs.
- Cafcass staff are not authorised to send protected information to agencies and families via non-secure email. Egress must be used for non-secure email addresses. 'Protected information' refers to safeguarding letters, court reports, case documents, and any other personal information relating to a family member.
  - Guidance for external recipients is [here](#) on the Cafcass website.
- Post options:
  - Royal Mail Signed For provides a secure postal method as it requires a signature of the recipient. 2<sup>nd</sup> class delivery is preferred as it has a higher successful delivery rate (99%), although if short timescales apply please use 1<sup>st</sup> class (93% successful delivery rate).
  - For particularly sensitive information, please use Royal Mail Special Delivery Guaranteed which provides a tracked service and consider double envelope.
  - For items over 2kg and under 20kg use Royal Mail Special Delivery; for larger items use an approved courier where necessary.
  - Please note DX is now only available in these offices:
- Bloomsbury (incoming and outgoing) subscription is to remain to assist the Legal Team
- Warrington (incoming only) is to remain enabling the courts to continue to send the standard documents currently received into Warrington to be digitised and uploaded onto the case record.

- Cafcass staff are prohibited from printing personal/sensitive personal information provided by third parties (e.g. police, health bodies and local authorities) in all circumstances [see Section 4.7 Case Recording Policy].
- Cafcass case related documents containing personal/sensitive personal information (e.g. safeguarding letters and court reports) should not be printed or removed from Cafcass offices (including home-based offices) [see Section 4.6 Case Recording Policy].

GSI = Government Secure Intranet  
GCSX = Government Connect Secure Extranet  
CJSM = Criminal Justice System email  
WTFH = Work to first hearing  
DX = Document Exchange mail network  
HMCTS = Her Majesty's Courts & Tribunals Service

### Appendix 3: case closure checklist

#### FCA case closure checklist

Reports	All reports/position statements uploaded?	
	Reports workflowed?	
	All reports reflected as filed?	
Tools	Uploaded where completed?	
Legal output	Legal output added?	
	BS to add legal output?	
	If yes, legal output detail to be added:	
Safeguarding	Safeguarding complete?	
	Opt out?	
	Opt out reason:	
Safeguarding referrals	If s47 referral made, outcome recorded?	
IRO letter (public)	IRO closure letter sent	
Diversity	Diversity complete	
Child'sPlan	Child'sPlan complete	
Contact log	Contact log updated	

#### Manager case closure checklist for cases where FCA requires oversight of closure

Reports	All reports/position statements uploaded?	
	Reports workflowed?	
	All reports reflected as filed?	
Tools	Uploaded where completed?	
Legal output	Legal output added?	
	BS to add legal output?	
	If yes, legal output detail to be added:	
Safeguarding	Safeguarding complete?	
	Opt out?	
	Opt out reason:	
Safeguarding referrals	If s47 referral made, outcome recorded?	
IRO letter (public)	IRO closure letter sent	
Diversity	Diversity complete	
Child'sPlan	Child'dPlan reviewed and signed off for closure by Service Manager	
Contact log	Contact log updated	