



Llywodraeth Cymru
Welsh Government

PUBLICATION

Cafcass Cymru: accessing your personal information

How to make a request to see the information that Cafcass Cymru hold about you and your family.

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Introduction

Under the UK General Data Protection Regulation (UK GDPR), you are entitled to request a copy of the information Cafcass Cymru holds about you. This is known as a Data Subject Access Request (DSAR).

What information am I entitled to see?

You are entitled to see your personal information. You are not entitled to see information about other people.

However, certain 'exemptions' may apply which may result in us not disclosing your information to you.

For example, where information about you has been provided to us by someone else, they may have the right for this to be kept confidential. You will also not usually be able to see information referring to someone else (a 'third party'): this will usually be redacted as it is personal information relating to them. This includes certain personal data about you, where a 'third party' can be identified from it.

Other exemptions may include:

- Where a response would risk harm to staff or other individuals
- Correspondence with solicitors and lawyers (where legal professional privilege applies).
- Some information related to health, social work and crime.

Can I see my 'case' file?

We are not able to provide you with copies of all documents and/or information in relation to your case as a whole.

A DSAR only entitles you to see your own personal information. If you wish to see a document in full, or you are seeking a document where the contents relate to another person, it may be better to apply to the court for its disclosure as it will not be disclosed under a DSAR.

I am not a party to proceedings, can I still request to see my information?

If you are not a party to proceedings, we cannot share with you any information relating to proceedings: this is in accordance with the Family Procedure Rules. Non-parties are required to seek permission of the court to access their information – this is called a disclosure application.

This also applies when a parent of a non-party child (a non-party child is a subject child who has not been made party to proceedings) seeks the child's information on the child's behalf: further information can be found in the next section.

Disclosure of information about children

A person with parental responsibility may make a request on behalf of the child.

However, we can only normally release information about a child if the child was

made a party to proceedings. If your child was not made a party to proceedings, then we cannot disclose their information: you would be required to seek permission of the court in order to access their information. We may, however, provide some information relating to your child which has been included in court reports and is already known to you.

In all cases, the best interests of the child will always be considered. Even if the child is very young, their information still only belongs to them, and it is the child who has the right to access the information.

We will consider whether the child is able to understand their right to see their personal information. If we are confident the child can understand their rights, we would expect them to make their own request. In this circumstance, we will respond to a request from the parent when the parent has provided proof the child has given their consent for the parent to make the request on their behalf. A 12 year old, for example, is generally considered to be able to make a request themselves.

How do I make a request?

We recommend you make your request by email to CafcassCymru@gov.wales. However, you may also make a request through your allocated Cafcass Cymru practitioner or any other member of Cafcass Cymru staff.

If you are looking for a particular piece of information, please mention this in your request along with any relevant dates. This will be treated as a request for information and may be responded to more quickly.

Before your request becomes valid, we may need to confirm your identity via:

- Proof of ID: this needs a signature and photo (e.g. a copy of a driver's

license or passport).

- Proof of residence: this needs a name and address (e.g. a copy of a recent utility bill, or official letter).

How much does it cost?

In most cases we respond to DSARs free of charge.

When will I receive a response?

We aim to acknowledge the request within 3 working days of receipt and provide a full response within 28 days of the request becoming valid. If an extension is required, we will let you know as soon as possible.

How will I receive the information?

For security and efficiency reasons, we will provide you with the information electronically, via a secure portal called Objective Connect. If you wish to receive a hard copy instead, please let us know when you submit your request. We will send this to you by recorded delivery and you will need to sign for it.

What if I am dissatisfied with the handling of my request?

If you are not satisfied with how we handled your request, you can ask in writing

for an internal review: we will process this in accordance with the Welsh Government's complaints process. You also have the right to complain to the Information Commissioner's Office. Our response letter will provide further information on how to do this.

This document may not be fully accessible.

For more information refer to our [accessibility statement](#).

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Go to <https://gov.wales/cafcass-cymru-accessing-your-personal-information-html> for the latest version.

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