



Llywodraeth Cymru
Welsh Government

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Cafcass Cymru: a guide to complaints

Information about the Cafcass Cymru complaints process

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Who this guidance is for

The Cafcass Cymru complaints procedure was established to allow users of our service involved in family court proceedings who wish to raise concerns and complaints regarding our service.

Should a member of the public who is not a user of our service wish to raise a complaint, they should do so through the [Welsh Government complaints process which can be found on the Welsh Government website](#).

This document explains how we deal with complaints from service users and stakeholders.

What you can expect from us

We are committed to dealing with and resolving complaints about our service as quickly and as effectively as possible in a manner that is fair, open and transparent.

If you make a complaint, it won't affect the service you get now or in the future.

If possible, we would prefer to deal with any concerns you have as soon as you feel the service you are receiving is not what you expect, and ideally while the court proceedings are ongoing. Once the court proceedings have finished, we will be limited in the actions we can take and the response we can provide.

In the first instance, it's a good idea to talk to the Cafcass Cymru Officer dealing with your case: they may be able to address your concerns by discussing them with you and fully explain to you what is happening. A list of contact details for each of our offices can be found on the [Cafcass Cymru website](#).

We can also explain to you what action we can or cannot take to look into the matter further.

Our complaints process is unable to change any decisions or agreements reached in Court. The Court will make the final decision and if you disagree with the outcome you may wish to consider exercising your right to appeal against the Court decision. The Court and/or your Legal Representative will be able to advise you on how best to do this.

What we expect from you

We believe you have the right to be listened to, heard, understood and respected. We consider our staff also have the same rights. We therefore expect you to be polite and courteous in your dealings with us. We understand that family court proceedings can be an anxious and stressful time for some people – however, we will not tolerate aggressive or abusive behaviour, unreasonable demands or unreasonable persistence either verbally or in writing. In instances where our staff encounter such behaviour, we reserve the right to review the way we communicate with you in dealing with your complaint.

We will not reinvestigate repeated complaints about the same issue where we are satisfied that we have responded appropriately and have done all we can to resolve matters.

Where you offer or we request any further information to progress your complaint and we do not receive this within a reasonable timescale, we may close your complaint and take no further action.

How to make a complaint

If you're not happy with the standard of service you have received, you can make a complaint. You can contact the Complaints Team in one of the following ways:

Complaints Team, Cafcass Cymru

Welsh Government
Sarn Mynach
Llandudno Junction
Conwy
LL31 9RZ

Email: MyVoiceCafcassCymru@gov.wales

Rydym yn croesawu gohebiaeth yn Gymraeg / We welcome correspondence in Welsh.

Phone: 0800 49 60 650 (9:00am – 4:30pm Monday to Fridays)

This is a dedicated Cafcass Cymru Complaints Phone Line and is a Freephone number for callers in the UK. If you are based outside the UK, you can call 0044 300 062 5500.

Website: <https://www.gov.wales/cafcass-cymru/feedback-compliments-and-complaints>

We will only be able to look at your concerns if you tell us about them within 6 months of the conclusion of Cafcass Cymru's involvement in the case about which you are complaining. This is because it's better to look into your concerns whilst the issues are still fresh in everyone's mind.

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We may exceptionally be able to look into concerns which are brought to our attention later than this. You will however have to give us strong reasons why you have not brought it to our attention earlier and we will need to have sufficient information about the issue to enable us to consider it fully. Regardless of the circumstances, we will not consider any concerns where our involvement in the case about which you are complaining was more than one year ago.

If you find it difficult to write a letter or explain your complaint to us, then you can ask someone else (for example a friend or support worker) to make the complaint on your behalf as your advocate. You are also welcome to include your advocate with you to support you at any meeting you may have with us at any stage of the Complaint investigation process. However, our discussions with you will take place within the parameters of the Family Court rules.

If you're expressing a concern on behalf of somebody else, we will need their agreement for you to take this action on their behalf. We will provide you with a form to do this.

If your complaint relates to data protection, the information we hold about you, how we use it or you would like to exercise any of your rights under the General Data Protection Regulation (GDPR), your complaint may be considered under the Welsh Government complaints procedure. Please contact us via the details below:

Information Asset Owner

Cafcass Cymru
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

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Email: CafcassCymru@gov.wales

Rydym yn croesawu gohebiaeth yn Gymraeg / We welcome correspondence in Welsh.

OR

Data Protection Officer

Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Email: DataProtectionOfficer@gov.wales

Rydym yn croesawu gohebiaeth yn Gymraeg / We welcome correspondence in Welsh.

What we can't deal with as part of our complaints process

There are times when we cannot deal with your concerns through our complaints process because they can only be addressed in the Court arena, including issues related to court reports, court orders and the court hearing.

When you contact the Complaints Team, we will tell you if your concerns can be addressed within the complaints process or not. If we cannot look into the concerns you have raised, we will, where possible, advise you on other ways of taking these forwards. We have listed in the section at the end of this document some of the more common issues we can and can't consider under our complaints process.

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If you make a complaint, this will not necessarily lead to a change of Cafcass Cymru Officer working on your case. The Complaints Team has no involvement in the removal or allocation of Cafcass Cymru Officers within a case. If work ordered by the Court is still being undertaken, it is not best practice to change the allocated officer and we would work towards finding a resolution that suits all parties involved. Changing an officer is only likely if we consider it to be in the child's best interests.

How we will deal with your complaint

Ensure the details we have fully capture the nature of your complaint.

If you contact us via the Complaints Phone Line, you may be asked to provide a supporting written account to make sure we haven't missed any important details. If you contact us via email, online or letter, we may contact you by phone to discuss your complaint with you.

Where it is clear the concerns do not fall within our complaints procedure, we will inform you of this and, where possible, advise you how to take these concerns forward, for example concerns relating to court reports need to be resolved in the Court arena.

Try to resolve your concerns at an early stage, known as Early Resolution

In the instance your concerns may fall within the complaints procedure, we will pass the details of your complaint to the operational area where your case is being heard.

You will be contacted by a manager from the area team dealing with your case to discuss your concerns in greater detail and to see if they can resolve them at this stage. The manager may offer you a telephone meeting during normal working hours to discuss your concerns further.

If your concerns cannot be resolved at this stage but fall under our complaints procedure, we will undertake a formal investigation.

Where you offer or we request any further information required to progress your complaint, you should send this to us as soon as possible: not receiving the information in a timely way may mean we have no alternative but to close your complaint and take no further action.

It is normal practice for us to inform the subject of the complaint unless you tell us otherwise.

Prepare a plan outlining how we will respond to your complaint

The manager will define your complaint with you, and we will send you a copy of the agreed issues of complaint to be investigated for your agreement. This will be in the form of a Complaint Response Plan. Once agreed, no additional issues can be added after the investigation has begun.

Identify an appropriate Investigating Officer

We will appoint an Investigating Officer from another operational area with no connection to the case or the officer, to investigate your complaint. This will normally be a Practice Manager or a Head of Operations who will not have had prior involvement in your case. The Investigating Officer may need to contact you to discuss aspects of your concerns in greater detail as part of their

investigation.

If your complaint involves a third party, it may be appropriate for the Investigating Officer to contact them as part of the investigation. The Investigating Officer will explain to you the reasons why they need to include a third party in their investigation and these reasons will be outlined in the complaint response plan and/or investigation findings report as appropriate.

If your complaint involves a former member of Cafcass Cymru staff, we will consider whether it is appropriate to contact that member of staff in connection with the complaint. We will let you know if we have done this, and it will also be clearly stated in the complaint response plan and/or investigation findings report as appropriate.

Send out the complaint investigation findings report

We aim to complete our investigation into your complaint and send you a copy of our findings within 30 working days of you agreeing the issues of the complaint to be investigated in the complaint response plan. If the concerns that make up your complaint are particularly complex, it may take us longer to complete our investigation. If this is the case, we will ensure you are kept informed of our progress and will advise you of the time we think it will take to complete our investigation.

How we deal with complaints from children and young people

We follow a similar complaints process to deal with concerns received from children and young people. However, we aim to speak with the child or young person normally within one working day to acknowledge receipt of receiving their

complaint.

The Officer appointed to investigate the complaint is expected to provide their response normally within 15 working days.

Information for children and young people on telling us what they think, including making a complaint, can be found in the Information Pack sent, or given, to all children and young people. Children and young people are also able to make a complaint online at the [Cafcass Cymru website](#).

We can arrange advocacy provision for children and young people who want to make a complaint.

The Children's Commissioner for Wales can provide details of organisations children and young people can use to give them a voice. Their contact details are:

Children's Commissioner for Wales

Llewellyn House
Harbourside Business Park
Harbourside Road
Port Talbot
SA13 1SB

Telephone: 0808 801 1000 (Freephone)

Email: post@childcomwales.org.uk

Website: <https://www.childcomwales.org.uk/>

Another service available to children and young people is Meic, an advocacy and advice helpline that is confidential, anonymous and free. Their contact

details are:

Meic

Telephone: 0808 80 23456 (Freephone)

SMS text: 84001

Website: <https://www.meiccymru.org/>

Public Services Ombudsman for Wales

If you are not satisfied with the way we have handled your complaint, you may contact the Public Services Ombudsman for Wales (“The Ombudsman”). The Ombudsman is independent of all Government bodies and may look into your complaint if you believe you or the person on whose behalf you are complaining have:

- been treated unfairly or received a bad service through some failure on the part of the body providing it; and/or
- been disadvantaged personally by a service failure or have been treated unfairly.

The Ombudsman can look at any administrative failings in how we have dealt with your complaint and how we have followed our complaints procedure, or at any stage of it. Further information can be found on their website, including their **[‘Cafcass Cymru’ factsheet](#)**.

The Ombudsman expects you to bring your concerns to our attention first and to give us an opportunity to provide a response. You can contact The Ombudsman by:

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Public Services Ombudsman for Wales

1 Ffordd yr Hen Gae
Pencoed
CF35 5LJ

Telephone: 0300 790 0203

Email: ask@ombudsman-wales.org.uk

Website: <https://www.ombudsman.wales/>

Social Care Wales

Our practitioners are registered with Social Care Wales and are required to comply with the Social Care Wales Code of Professional Practice for Social Care. If you believe the practitioner allocated to your case did not follow, or did not work to the standards set out in, the Code, you can contact Social Care Wales. However, it is suggested you bring your concerns to our attention first to give us an opportunity to provide a response. You can contact Social Care Wales by:

Social Care Wales

South Gate House
Wood Street
Cardiff
CF10 1EW

Telephone: 0300 30 33 444

Email: info@socialcare.wales

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How we deal with concerns from local authorities

Concerns from a local authority will be referred to the relevant Cafcass Cymru Head of Operations and addressed in line with the requirements of the agreed protocol between Cafcass Cymru and The Association of the Directors of Social Services Cymru (ADSS Cymru).

What we can and cannot consider: quick guide

In this section you will find a list of the common issues service users raise with us. Whilst we can consider lots of issues under our complaints procedure, there are some things we cannot consider: some of these are listed along with information on how you can take forward those concerns. But please remember, the Complaints Team are available should you have any questions about the procedure or need advice. You can contact us in the following ways:

Complaints Team, Cafcass Cymru

Welsh Government
Sarn Mynach
Llandudno Junction
Conwy
LL31 9RZ

Email: MyVoiceCafcassCymru@gov.wales

Rydym yn croesawu gohebiaeth yn Gymraeg / We welcome correspondence in Welsh.

Phone: 0800 49 60 650 (9:00am – 4:30pm Monday to Fridays)

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Website: <https://www.gov.wales/cafcass-cymru/feedback-compliments-and-complaints>

Issues we can consider

- **Quality of service**

- Your case is not being handled well.
- The report was filed late at Court.
- The Cafcass Cymru Officer allocated to your case is difficult to get hold of / has failed to return your calls on several occasions.

What do I do?

Contact the Complaints Team.

We will expect you to provide specific times and dates for us to look into concerns regarding communication.

- **Conduct**

- Professional behaviour/attitude of our staff.
- The Cafcass Cymru Officer allocated to your case is not doing what is agreed/not actively engaging with you or your child/ren.

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- You feel you are not being listened to.
- Failure to meet, where appropriate, with your child/ren.

What do I do?

Contact the Complaints Team.

It is likely any enquiries or investigation we undertake will be unable to form a judgement where the issue relates to one person's word against another.

- **Information clarity**

- The process was not explained to you.
- We did not provide you with the relevant literature at the beginning of the case.
- Information given to you was unclear or inaccurate.

What do I do?

Contact the Complaints Team.

- **Delays**

- Reports not completed/filed on time for the hearing.
- Re-allocation causing difficulties.

What do I do?

Contact the Complaints Team.

Issues we cannot consider

- **Case allocation**

- You are unhappy with who your case is allocated to.
- You want to change the Cafcass Cymru Officer allocated to your case.

What do I do?

This is not a matter that can be addressed through the complaints process.

If you are unhappy with the allocation of your case, you will need to discuss this with the Court. If work ordered by the Court is still being undertaken, it is not best practice to change the allocated officer and we would work towards finding a resolution that suits all parties involved. Changing an officer is only likely if we (and/or the court) consider it to be in the child's best interests.

- **Bias**

- You believe the Cafcass Cymru officer allocated to your case is acting unfairly by favouring the other party in the case.
- You believe you aren't being treated equally or there is not a balanced approach.

What do I do?

Issues of bias are generally an issue for the court. It is the court's responsibility

to adjudicate a fair outcome to a case and therefore, any allegations of bias should be raised with the court.

- **Factual inaccuracies in the court report**

- The report contains incorrect names / dates / ages etc.

What do I do?

In the first instance you need to contact the report writer to notify them you've found factual inaccuracies which need to be corrected.

You can also contact the Complaints Team to provide details of the factual inaccuracies you've identified.

'Factual inaccuracies' does not cover any dissatisfaction you may have with the content, analysis or recommendation of the report. Those are matters that must be raised in the Court arena.

If you think information included in reports from other agencies, for example, the Police, Local Authorities etc. is inaccurate, you must contact those agencies direct to clarify and address your concerns.

- **The court report**

- The contents of the report don't accurately reflect the situation.
- The Cafcass Cymru officer allocated to your case has not included all the relevant information.
- The report contains irrelevant information.
- You are unhappy with the report produced by the Cafcass Cymru officer allocated to your case. You are unhappy with the report's

recommendation(s).

What do I do?

In the first instance you should discuss these concerns with the report writer.

If you are unhappy with the report, you or your legal representative must raise it in the Court arena. You will be given the opportunity to challenge its content, analysis and recommendations. These are not issues that can be addressed by Cafcass Cymru or through our complaints procedure.

- **Events during the court hearing**

- You are unhappy with the evidence the Cafcass Cymru officer allocated to your case gave at the hearing.

What do I do?

You or your legal representative must raise your concerns in the Court arena where you will be given the opportunity to challenge the evidence given.

- **The court order**

- You are unhappy with the contents of the court order.
- You are unhappy with the arrangements for contact set out in the Court Order.

What do I do?

Issues/concerns regarding court orders, including contact arrangements, must be raised in the Court arena, not with Cafcass Cymru.

- **Data/information security/GDPR**

- Confidential information in a report that should not have been shared / disclosed etc.
- Correspondence (letter / email etc.) containing sensitive information has been sent to wrong (email) address.

What do I do?

If your complaint relates to data protection, or the information we hold about you, or how we use it - or you would like to exercise any of your rights under the General Data Protection Regulation (GDPR) - your complaint may be considered under the Welsh Government complaints procedure.

This document may not be fully accessible.

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

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