



Cafcass Open Board Meeting Minutes
Thursday 23 January 2019
21 Bloomsbury Street, 10.30am to 13.00pm

Present

Edward Timpson CBE, Chair of the Board
Deep Sagar, Board member
Paul Grant, Board member
Fay Selvan, Board member and co-Chair of the Performance and Quality Committee
Catherine Doran, Board member
Mandy Jones, Board member
Sally Cheshire, Board member
Caroline Corby, Board member
Francis Plowden, Board member and Chair of ARAC
Sophie Humphreys, Co-opted board member

In attendance

Anthony Douglas CBE, Chief Executive
Christine Banim, National Service Director
Julie Brown, Director of Resources
Teresa Williams, Director of Strategy
Melanie Carew, Head of Legal Services
Colette Jacobs, Head of Service (Corporate Services)
Nicola Blakebrough, Corporate Strategist
Grace Egbewole-Adereti, Board and Corporate Support Assistant
Kevin Gibbs, Assistant Director
Katie, Family Justice Young People's Board
Neal Barcoe, Deputy Director, Family Justice Policy, Ministry of Justice

Apologies

Stuart Smith, Board member and co-Chair of the Performance and Quality Committee
Joanna Nicolas, Co-opted Board Member

Guests

Brenda McLaughlin, Lead Inspector, Ofsted
Alice Twaite, Coordinator, Transparency Project
Michelle Phillips, SafeLives
Jane Robey, Chief Executive Officer, National Family Mediation
Daniel Monk, Professor of Law, Birkbeck, University of London
Lall Singh, Shared Parenting Association
Graham Porter, Shared Parenting Association
Jay Barlow, Vice-Chair, Napo
Arran Poyser, Former Cafcass Inspector
Jamie Niven-Phillips, Association of Lawyers for Children
Dean Rogers, Assistant General Secretary, Napo
Janie Spring, Helpline Adviser, The Fostering Network
Marc Gammon, Policy and Research Officer, Magistrates Association
Maria Mansfeld, Assistant Director of Communications, Parliamentary and Health Service Ombudsman

Amy Bedford, Family Policy, Department for Work and Pensions
Dr Jan Macvarish, Research Assistant, Birkbeck, University of London
Ann Furminger, Relationship Support Manager, Family Action
Tammy Knox, Senior Associate, Penningtons Manches
Simon Franklin, Child Maintenance Policy, Department for Work and Pensions
Louise Relph, District Judge, Manchester Civil Justice Centre
Jenny Birchall, Research and Policy Officer, Women's Aid
Dr Linda Wijlaars, Senior Research Associate, UCL Great Ormond Street Institute of Child Health
Matthew Jay, PhD student, UCL Great Ormond Street Institute of Child Health
His Honour Judge Kambiz Moradifar, Designated Family Judge for Berkshire
Angela Frazer Wicks, Family Rights Group
Michael Lewkowicz, Director of Communications, Families Need Fathers
Ed Bowie, ALB Governance Division, Ministry of Justice
Claire Beckingham, Cafcass Local Strategy Champion, National Improvement Service
Merryn Hockady, Cafcass Senior Communications Manager
Ioana Opera, Cafcass Graduate
Richard Morris, Cafcass Assistant Director
Sophie Vessey, Cafcass Policy and Communications Manager

MINUTES

1. Welcome

The Chair welcomed everyone to the meeting, particularly new Board member, Sophie Humphreys, who was attending her first Board meeting.

2. Apologies/ Declarations of Interest / Minutes and Actions

2.1 Apologies

Apologies were received from Joanna Nicolas and Stuart Smith.

2.2 Declarations of interests

Board member Catherine Doran declared that she was appointed to the Appeals Panel for the British Board of Film Classification. The Chief Executive stated that the position was not a conflict of interest.

2.3 Draft Minutes of the Board Meeting on 10 October 2018

The minutes of the Board meeting held on 10 October 2018 were agreed as an accurate record.

2.4 Action Log / Matters Arising

The Board noted the Action Log. There were no further matters arising.

3. Strategic Plan Refresh and Improving Service User Feedback – Presentations

The Director of Strategy and Assistant Director (KG) gave presentations on the work to refresh the organisation's Strategic Plan and systems for improving engagement and outcomes for service users. A separate report on these presentations would be produced.

4. Feedback from Board Visits

Board members provided feedback on service visits which had taken place at the Coventry, Bristol, Sheffield and York Cafcass offices. Members had also visited the Family Drug and Alcohol Court (FDAC) and the Family Justice Young People's Board (FJYPB) and had attended an internal webinar on Values, to support the Strategic Plan Refresh.

The visits highlighted that IT systems in place were very good and there was positive feedback from staff regarding the IT transition although some aspects of current network performance were criticised because they were affecting many individual staff. There was evidence of a greater reliance on Family Court Advisers where there was no lawyer in the case. Overall staff reported feeling well supported despite increased pressure. The FJYPB would be producing 'Resilience' themed top tips and these would be shared.

5. Report from the Chief Executive

The Chief Executive thanked stakeholders for attending the meeting and reported:

- Demand is still high and staff are under pressure, however the level of ambition and quality is being met. Audits demonstrate an increased amount of work was assessed as 'outstanding' and there is less work judged as 'met' only.
- Some teams are under greater pressure and additional resources are being made available where necessary. Caseloads are currently manageable and average caseloads remain at 19/21 cases. The area of concern is the length and complexity of cases, which is due in part to more litigants-in-person.
- A small but significant increase in budget would be needed in 2019/20 and discussions had commenced with the Ministry of Justice (MoJ), taking account of shared assumptions about demand trends next year.
- In the year to date Cafcass had received the top rating for internal audits, except for data breaches where the second highest rating had been received. The outcome on data breaches is in common with the rest of the public sector and due in part to impact of GDPR. Many breaches are caused by incorrect information being received from service users and Cafcass is working with the MoJ and HMCTS to improve the quality of case information being received.
- The number of Parliamentary and Health Service Ombudsman investigations had fallen in recent years, with no investigations proposed so far in this financial year.
- A bid for the recently released Department for Work and Pensions (DWP) 'Reducing Parental Conflict Challenge Fund' would be prepared. This would focus on the development of the digital Separated Parents Information Programme (SPIP) both as a direct alternative to a face to face SPIP but also to improve the offer to families who cannot access meetings due to factors such as rurality, language, health and disability; and continued behavioural insights work to inform the improved engagement and understanding by separated parents of the benefits of early engagement as an alternative to formal court proceedings.

Board members noted that there was a lack of public (brand) recognition of Cafcass, particularly amongst the general public. The Chief Executive agreed with this and noted that

further consideration would be given to promoting awareness of the organisation in the public domain.

The Chair thanked the Chief Executive for the report.

6. Report from the Family Justice Young People's Board

The FJYPB representative updated the Board as follows:

- Membership of the FJYPB is now 61 members and the age of members ranges between 8 – 25 years.
- Two of the FJYPB members attended the Family Justice Board meeting on 27 September 2018 where the Parliamentary Under-Secretary of State for Children and Families in the Department of Education, Nadhim Zahawi, made a commitment to make the Top Tips available to schools in England. Department of Education officials have been charged with following this up.
- The FJYPB continues to work closely with Cafcass Cymru on areas such as staff recruitment panels and inspections.
- The FJYPB is a part of the HMCTS Children and Young People Strategy Working Group, focusing on the commitment of HMCTS to engage children and young people in the design of future services.
- New mechanisms for training to enable the FJYPB to reach a wider audience across Cafcass and stakeholder organisations are being developed. The 'In My Shoes' recordings are underway with the first nearly completed. This would be ready for distribution by the end of January 2019.

7. Report from the Audit and Risk Assurance Committee and the Performance and Quality Committee

The Audit and Risk Assurance Committee (ARAC) last met on 19 December 2018. The Chair of ARAC reported that the internal audit report was very positive with only one audit in the year to date, data breaches, not achieving a substantial opinion. ARAC recognises that the risk of data breaches is high due to the combination of very high levels of applications and communication of personal/sensitive data being dealt with daily by staff, which means that whilst we continue to make efforts to mitigate the risk of a breach, it cannot be entirely eradicated. Further that incorrect information is being received from service users and from HMCTS, but that Cafcass and HMCTS, are committed to doing as much as possible to reduce the occurrence of data breaches. ARAC had also received a positive report from Cafcass' External Security Advisor regarding Cafcass' cyber security arrangements.

The co-Chair of the Performance and Quality Committee reported that the Committee had last met on 14 January 2019 and had received an informative practice presentation regarding brothers and sisters and the tools and techniques that staff use to understand the needs of brothers and sisters in the cases referred to Cafcass. The Committee had also reviewed the HR annual sickness and absence report which reported that current sickness rates are comparable to external benchmarks and this is against a back drop of high demand levels for Cafcass' services. It also reported on how Cafcass is continuing to develop and deliver proactive and preventative wellbeing support to staff, focussing on mental health and future developments on stress reduction initiatives.

8. Finance Report

The Director of Resources reported that the management accounts for the end of December 2018 showed no areas of concern with spend continuing to fall broadly in line with the profiled budget.

The Corporate Management Team continue to carefully monitor the rate of expenditure, the impact of continuing rising demand on spending requirements and retention of the residual corporate contingency to ensure no overspending in the final months of the year, but also to ensure that teams receive the additional resources they require operationally.

9. Demand Levels and Resourcing

The National Service Director reiterated that demand continued to be challenging. The use of Associates had assisted in managing demand and getting resources to areas in need as quickly as possible and that strategy would continue next year.

Budget setting for 2019/20 would take account of demand and the rising complexity of cases and an annual Operational Management Team budget setting meeting would be held so that there is open and collaborative discussion and budget allocation is based on the needs of the areas.

10. Strategic Risk Register

The Director of Resources reported that the strategic risk register (SRR) had been scrutinised by ARAC at its December meeting. Risks relating to private law demand and workforce capacity had increased due to the continuing high demand which is creating pressure in allocating cases. The residual risk relating to Replacement of ICT services had reduced.

The Director of Resources confirmed that there is a daily narrative on risks within the Corporate Management Team but the formal assessment and update of the SRR is conducted around the Board and Committee meeting cycle.

The Board were informed that assessment of the risk relating to Brexit is ongoing. Cafcass is already working with a small number of staff from EU member states to support them and expected some transitional arrangements would be put in place with member states on areas such as forced adoption.

11. Board Membership – Deputy Chair Arrangements

The Chief Executive reported that the Board needs to appoint a Deputy Chair and had proposed to appoint Sally Cheshire. This proposal requires the Secretary of State's approval which would be sought.

12. Any Other Business

The former Cafcass Inspector acknowledged that this would be the Chief Executive's last Open Board meeting and thanked him on behalf of stakeholders for his extensive work for the organisation, for the sector and for children and young people.

There was no further business.

Minutes Approved by the Board Chair, Edward Timpson, 20.03.19

A handwritten signature in blue ink, appearing to read "Edward Timpson", with a period at the end. The signature is written in a cursive style.