



Cafcass Performance and Quality Committee Minutes
Monday 14 January 2019, 11.00 - 13.30
Cafcass, Piccadilly Gate, Store Street, Manchester, M1 2WD

Present

Stuart Smith, Board Member and Chair
Fay Selvan, Board Member and co-Chair
Paul Grant, Cafcass Board member
Caroline Corby, Cafcass Board Member (via video conference)
Mandy Jones, Cafcass Board Member (via video conference)
Sophie Humphreys, Cafcass Board member (attending to observe)

In Attendance

Anthony Douglas, Cafcass Chief Executive (via video conference)
Teresa Williams, Director of Strategy
Anji Owens, Assistant Director
Sandie Hayes, Assistant Director (on behalf of Christine Banim)
Joanna Furlong, Senior Policy Advisor, MoJ (via telephone conference on behalf of Stuart Moore)
Nicola Blakebrough, Corporate Strategist (via video conference)
Grace Egbewole-Adereti, Cafcass Board and Corporate Support Assistant (Minutes)
Michelle Hulme, Practice Supervisor (for item 4)
James Hyde, Head of Human Resources (for item 5)
Sandra Van Empel, Family Court Adviser (for item 4)
Kevin Gibbs, Assistant Director (via video conference for item 10)
Richard Green, National Child Care Policy Manager (via video conference for item 7)

Apologies

Joanna Nicolas, Co-opted Board Member
Deep Sagar, Cafcass Board member
Christine Banim, National Service Director
Stuart Moore, Private Law Policy Lead (Legislation) & Cafcass Policy Sponsor, Ministry of Justice

MINUTES

1. Welcome and Apologies

The Chair welcomed everyone to the meeting, particularly Sandie Hayes and Joanna Furlong, who were attending the meeting on behalf of Christine Banim and Stuart Moore. Apologies were received from Joanna Nicolas, Deep Sagar, Christine Banim and Stuart Moore.

2. Declarations of interest

There were no new declarations of interest.

There were no matters arising.

3. Minutes and Actions

The Committee reviewed the action log and noted the progress of actions.

4. Practice Presentation on Brothers and Sisters

The Chair welcomed the Practice Supervisors Sandra Van Empel and Michelle Hulme to the meeting. Each presenter provided public and private law case studies involving brothers and sisters and how these relationships influence family court proceedings. The presentation explained how Family Court Advisors (FCAs) consider these relationships and their impact on the overall wellbeing of the child. FCAs examine how children respond to their siblings and the different dynamics involved in sibling relationships. At times these relationships can resemble a sibling taking on a paternal or maternal role, though the level of support provided may at times make children prone to anxiety and require a greater level of support. Use of tools included books, which can help children understand more about their sibling relationship, as well as providing the opportunity for FCAs to discover more about the children in their cases.

The Chair commended the presentation and noted that the topic had partly stemmed from a Family Justice Young People's (FJYPB) conference on brothers and sisters and their experiences during family court cases. The Chair queried whether any further work was being done to identify whether work with brothers and sisters had improved. The Assistant Director noted that the impact on children's experiences is evidenced in quality assurance data and improvements had indeed been made. FCAs gather feedback directly from children and visual tools have improved bringing the voice of the child into reports.

The Chief Executive noted that the Parliamentary Under-Secretary Nadhim Zahawi had agreed with the FJYPB that top tips for children would be circulated to schools in England, which DfE officials would be charged with taking up.

5. HR Sickness and Absence Annual Report

The Head of Human Resources presented the HR Sickness and Absence Annual Report to the Committee. The report details staff levels of sickness and measures taken to improve the overall wellbeing of staff.

Sickness levels had increased slightly. The average number of working days lost in the 12 months to 31 March 2018 was 8.72 days per person and the year to date figure is 9.2 days. The current sickness rates are comparable to external benchmarks and this is against a backdrop of high demand levels for Cafcass' services. Sickness absence is mainly long-term (four consecutive weeks or more) and the most common cause for absence for both social work and non-social work staff is 'non-work related mental health'. Proactive preventative approaches and wellbeing support is offered to staff focusing on mental health and future developments around the stress policy are being planned.

The Chair thanked the Head of HR for the report and noted that during an office visit health and wellbeing services were evident in the feedback provided from staff about feeling well supported. The Committee noted that the work around promoting mental health awareness may have resulted in the higher level of disclosure of mental health related work illness.

The Committee and Head of HR agreed that the use of the term 'mental ill health' as detailed in the report should be reviewed as there was still a stigma around it and it could be better described and broken down.

The Committee discussed the impact of rising demand on absence and noted that the complexity of the workload is more likely to be impactful, and that frontline supervision which is undertaken between the FCA and line manager through case planning and risk sharing is an extremely important part of practice.

6. Performance Report

The Assistant Director (AO) presented the Performance Report and outlined the key themes of the paper.

The year to date public law care application demand shows an overall decrease of 2% when compared to the same period in the previous year, and a 5.3% increase when compared with the same period in 2015-16. Private law demand has risen, with Cafcass having a 2.9% increase in the number of applications received compared to the same period last year and a 9.1% increase when compared with the same period in 2015-16. Stock of open private cases has increased by 22% since November 2017.

KPI performance remains strong with all in Green year to date. Overall average active caseloads of FCAs staff have increased slightly to 21.2 cases (December 2018) from 20.8 (August 2018).

The Committee queried how the organisation would manage MoJ forecast projections in addition to a 2% increase to demand. The Assistant Director noted that the organisation had contingencies in place to cope with additional demand, which it was monitoring on a regular basis. The Chief Executive noted that reform in family justice at this stage was unlikely and that the department had been contacted for additional funding in order to help cope with demand.

The Chief Executive informed the Committee that it was not able to make the full desired pay award to staff and that it was negotiating the remaining 0.8% of the award to bring the figure in line with the sector average of 2%.

The Assistant Director noted that more was being done to research section 7 reports to identify any important trends which identify the impact and rise in case. The Committee suggested that new areas where Cafcass Associates were now needed be illustrated in future performance reports. The Chair noted that it would be beneficial to monitor the amount of staff members who were applying to move teams due to the complexity of cases currently faced with in their areas.

The Committee requested a practice presentation on rule 16.4 cases at a future meeting.

Action 1: A practice presentation on rule 16.4 cases would be presented at a future meeting.

7. Serious Incident Notifications and Submissions to Serious Case Reviews

The National Child Care Policy Manager presented the report into Serious Incident Notifications and Submissions to Serious Case reviews. Of the 9 child deaths reviewed by the National Improvement Service following the notification of a serious incident, Cafcass were notified of 2 child deaths of children known to Cafcass and made a submission to 3 Serious Case Reviews.

Deaths caused by gang related membership had increased. There is a new focus on contextual safeguarding, which has led to the term child sexual exploitation to be renamed child exploitation. The Assistant Director agreed to share knowledge bites regarding child exploitation practice to the Committee.

The Chair thanked the National Child Care Policy Manager for the report.

Action 2: The Assistant Director agreed to share knowledge bites regarding child exploitation practice to the Committee.

8. Strategic Plan Dashboard and Strategic Risk Register

The Committee took note of the Strategic Plan Dashboard and Strategic Risk Register for Quarter 2. The residual risk relating to private law demand and workforce capacity had increased due to the continuing high demand which is creating pressure in allocating cases and is now considered high.

It was noted that the Audit and Risk Assurance Committee (ARAC) had received a deep dive report into the ICO reprimand. ARAC had noted a relative slow-down in the increase in data breaches and the ICO were not taking any further action. There are sector wide issues of incorrect data being given by third parties and more work to tackle this growing problem is being done including liaison with HMCTS regarding the accuracy of their data which is then passed on to Cafcass.

It was noted that there is a high level of quality assurance evidencing quality of case work with 2.4 audits per member of staff being conducted. Even with this high level of scrutiny on front line work staff find it is delivered in a helpful way and helps embeds a culture of organisational learning.

9. Engagement with the Family Justice Young People's Board

The Co-Chair reported that she attended the FJYPB meeting in December 2018 to gather an insight about what the FJYPB would like the Committee to focus on and talk about resilience. The FJYPB are developing top tips on Resilience and would share that with the Committee.

The FJYPB suggested it would be worth-while to pursue the following topics for future presentations and discussions:

- Children's rights and how we make children aware of them and mechanisms to explain the process to children
- The United Nations Convention on the Rights of the Child (UNCRC) and its direct impact on practitioners
- Reflecting on our practice at the end of a case and communication between agencies

10. Any Other Business & Forward Planner

The Assistant Director and Director of Strategy reported on the summary of annual statistics on government departments from the Parliamentary Health Service Ombudsman (PHSO). The Committee were informed that the PSHO dealt with 40,000 cases previously and of those, only a small number of cases were upheld.

The Committee agreed to delay the item on Children's Complaints to September. The Assistant Director noted that the reason for this was that work to develop the stakeholder engagement process which would be further progressed by September. In the meantime, there would be ongoing liaison with the FJYPB.

The Chair requested a future discussion about types of work in Cafcass and a practice presentation on the complexity of cases and how complexity is growing and how that manifests.

The Committee agreed that future meetings would be changed to take place on Mondays from 11.00 – 13.00.

There was no further business.

Action 3: Future Performance and Quality Committee meetings would be changed to take place on Mondays at 11.00 – 13.00.

Action 4: Items on the types of work in Cafcass and a practice presentation on the complexity of cases and how complexity is growing and how that manifests would be added to the forward plan.

DATE AND TIME OF THE NEXT MEETING: Performance and Quality Committee – Monday 11 March 2019, 11.00 – 13.00

Actions Summary

- Action 1: A presentation on rule 16.4 cases would be presented at a future meeting.
- Action 2: The Assistant Director agreed to share knowledge bites regarding Child Exploitation to the Committee.
- Action 3: Future Performance and Quality Committee meetings would be changed to take place on Mondays at 11.00 – 13.00.
- Action 4: Items on the types of work in Cafcass and a practice presentation on the complexity of cases and how complexity is growing and how that manifests would be added to the forward plan.