



**Special Board Meeting Minutes  
3<sup>rd</sup> April 2009  
Sanctuary Buildings**

**Present**

Baroness Howarth OBE ..... Cafcass Board - Chair  
 Gillian Baranski.....Cafcass Board Member  
 Jennifer Bernard .....Cafcass Board Member  
 Erica De'Ath  
 Mark Eldridge..... Cafcass Board Member  
 Ernie Finch.....Cafcass Board Member  
 Richard Sax ..... Cafcass Board Member  
 Nicholas Stuart CB.....Cafcass Board Member

**In Attendance**

Anthony Douglas CBE .....Cafcass Chief Executive  
 Lamorna Wooderson.....Corporate Director  
 Sherry Malik .....Corporate Director  
 Annabel Burns.....DCSF Representative  
 Mary Berwick-Sayers ..... Cafcass Staff Member

**Apologies**

Jane Booth.....Corporate Director  
 Margo Boye-Anawoma..... Cafcass Board Member  
 Toyin Okitikpi..... Cafcass Board Member  
 Harry Marsh MBE.....Cafcass Board Member

**PART ONE: BUSINESS SESSION**

**1 WELCOME**

The Chair welcomed everyone to this Special Meeting of the Board and explained that it had been convened to give the Board an opportunity to have an open discussion on the draft 2008/9 Annual Report and the draft 2009/11 Business Plan. It also provides the Board with an opportunity to discuss the remit letter from the Secretary of State for 2009/10, included with the papers.

**2 MINUTES FROM THE LAST BOARD MEETING HELD ON 6<sup>TH</sup> MARCH 2009**

The minutes were agreed as an accurate record subject to alterations, particularly of tone and wording. The Chair and Chief Executive undertook to make these revisions.

**3 CHAIR'S REPORT**

The Chair updated the Board on the recent Board interviews and thanked the DCSF representative for her help.

The Chair informed the Board that from now on, Margo Boye Anawomah's status would be as Board observer.

5	<p><b>CHIEF EXECUTIVES REPORT</b></p> <p>The Chief Executive reported back to the Board on the very positive meeting he and the Chair had with the Secretary of State and officials. He stated that whilst improvements had been made in 2008/9, faster and deeper improvements were still required in 2009/10.</p>
<p><b>PART TWO: PERFORMANCE REPORTING</b></p>	
6	<p><b>DRAFT ANNUAL REPORT</b></p> <p>The Chief Executive advised the Board that the 2008/09 Annual Report was a work in progress and that it seeks to give a profile to the 21 new local Service Areas which are now the focus for the organisations work programme for 2009/10.</p>
7	<p><b>DRAFT BUSINESS PLAN 09/11</b></p> <p>The Chief Executive invited comments from the Board on the draft Business Plan 2009/11 so that it can be formally signed off. It was noted that <i>Equality and Diversity</i> is now Priority No 6 in recognition of the importance of this work and the many changes and improvements that are needed in the way Cafcass operates. The Chief Executive stated that the 2009/10 Operating Priorities paper was still in draft form and comments from the Board would be welcomed in order to move this to a final version.</p> <p><b>Action 1</b> The Board agreed to move Safeguarding from Priority 3 to Priority 1.</p> <p>The Chief Executive advised the Board that examples of “good” casework are now on the intranet to be accessible to all practitioners and managers.</p> <p>The Board discussed how the learning points from good practice can best be spread across the organisation.</p> <p><b>Action 2</b> It was agreed that the Board would have a discussion at the Awayday about the ways they themselves can add value and help make a difference to the work of the staff and services in local Service Areas.</p>
8	<p><b>OPERATING PRIORITIES FOR 09/10</b></p> <p>The CEO gave a short presentation to the Board focusing on the organisations priorities for 2009/10 against the backdrop of the pressure being felt in all teams in the wake of the Baby P case, which has become a new major challenge to the whole organisation. He raised concerns that there is only a finite amount of money for children in most need, and if we do not have collaborative management of resources and systems in place with the judiciary and other partners, we will not be able to achieve our objectives and there will be great pressure on our budget in the next financial year.</p> <p>The CEO highlighted</p> <ul style="list-style-type: none"> <li>• the need to change our operational model in negotiation with the judiciary</li> <li>• the need to be aware that Ofsted are stepping up their pace as well and may link inspection of our local services to inspections they carry out of failing local authorities</li> <li>• an expected thematic inspection of DV will take place in 2009/10 – following up on the HMICA Inspection undertaken in October 2005</li> <li>• the need for Cafcass to improve on speed of allocation, early intervention services as well as adopting a zero tolerance policy of non compliance internally with all Cafcass policies and procedures</li> </ul>

The issue was raised as to whether it is right as a matter of policy that Private Law cases, especially those with no safeguarding implications, are being delayed due to the increase in Public Law cases. It was suggested that tripartite Ministerial drivers are needed with clear cross area targets and that this should be suggested as a way forward in a letter to the Secretary of State as until we can work as a managed Family Justice System, we will continue to be in this situation. It was suggested that we should not reinvent the wheel in either Public or Private Law but instead work out what the “blockers” are to this model and make recommendations as to how to overcome these. This will give us an agenda for change that we can push forward.

The Chair made the point that the court system is built on an adult model and is not fit for purpose for children and we have so far failed to address this – and that this should be our Vision. However, it could not be done by a series of structural changes but rather by changes to practice.

The CEO advised the Board that 7 of our Service Areas will be inspected this year and it is therefore essential that all our 21 Service Areas are robust. He advised that as a result of this need, portfolios of managers have been changed to give the maximum support to local teams and that simple templates will be compiled to ensure local Service Areas put everything necessary in place to meet the changed operational priorities as set out in the letter from the Secretary of State.

The DCSF representative commented that there now are systems in place for staff to use, which is a huge step forward – the next challenge is to get staff to use them. She also pointed out that there is wider work to do in terms of raising the profile of Cafcass and the Family Justice System with Ministers in order to challenge the system.

The following observations were made by Board members on the proposed SPIB Portfolios from April 2009 – March 2010

- The need for a simple diagram giving us a clear line of sight from the words on the page to the actual work we do with families and children. This will demonstrate the efficiency and effectiveness of the organisation
- Concern that the role of the Chief Executive was becoming too “operational” with too many direct reports - with the resulting danger being the loss of a major expert of the wider system. The CEO reassured the Board that his direct reports will not need intensive managing and that his “operational” role is important as he is managing a situation of operational change and therefore working to the priorities the organisation has been given. As we need to be seen to be effective in improvement, leadership needs to be much more operational in terms of identifying issues and resolving them.
- The need for more information on Performance Assessment to enable the Board to have more understanding of how staff are performing against performance measures. The Chief Executive gave the Board an update, with health warnings. The suggestion was made that there should be a KLPD plan and a Value for Money plan for each service area, as examples of how successful current national plans and approaches would be localised

**Action 3** It was agreed that the Chief Executive would work on putting together a report as part of the Performance Framework that will better inform the Board about organisational performance

As several issues were raised with regard to Section 5 of the Business Plan “Our Enablers”, **it was agreed that the Corporate Directors would work together to revise this section of the Plan. (Action 4)**

The Board raised various issues with regard to the KPIs as follows:

The need and preference to retain KPIs for more than one year

The need to clarify KPI 3 - **it was agreed it would be re-phrased as “Quality of practice of safeguarding**

rated overall as satisfactory" (Action 5)

Concern was raised that with KPI 2 there is no mention of delivery of allocation within a timescale. It was noted that it is difficult to see where the delay is occurring post allocation process as the case becomes part of the system so we cannot be held entirely responsible. Work is underway led by the Ministry of Justice to set a new system-wide target to reduce delay, following the recommendation to this effect in the recent report by Lord Laming.

It was suggested that we need to be more open with the public about cases we judge as lower priority.

It was noted that KPI 5 can not easily be finalised until Ofsted agree their revised methodology for future inspections of Cafcass. For this year it is likely to be a simple checklist for each case that can be audited by QI Managers. This will be developed into a more sophisticated tool for 2010/11. When looking at how Cafcass can contribute to "Enjoyment and Achievement", it was suggested that the Board could have a similar debate to the one on "Economic Wellbeing" – and the suggestion was made that reduction in parental conflict could be one way.

The Chief Executive emphasised the need to be really clear with staff about what is important and not to overload them and to ensure that they have role clarity.

## 9 LETTER FROM THE SECRETARY OF STATE

It was suggested that it would be useful to produce a high level timeline to show where we are by Service Area/Inspection Result against the 3/4 priority areas set out in the letter from the Secretary of State, what the trajectory is to deliver against these and how delivery will be monitored. This will enable the Board to map progress against each priority area and to conceptualise/understand where we really are. We need to be able to deliver the first three priority areas to the same degree of concentrated effect against a backdrop of our challenging work situation.

The Chief Executive advised that we will be in a better position of knowing where we are when SEFs for every area have been produced (end April). The Corporate Director advised the Board that a monitoring tool for all 21 Service Areas was being produced so the new baseline can be seen.

**Action 6 It was agreed that an analysis of the 21 areas would be produced for discussion at the Board Awayday in June.**

The Chief Executive advised that priority was being given to "bridging the gap" plans for each of the 21 Service Areas with the maximum possible national resource being put into bridging the gap in each area.

The Chief Executive advised that Public Law volumes are up by 4% over the year and in relation to this **it was agreed that the letter which the Minister has invited the Chief Executive to write to the Secretary of State should emphasise that steady improvement is achievable, however, if the outside world continues to add pressure within an inflexible system, then expectations are unrealistic. (Action 7)** The volume and complexity of our work should also be emphasised.

The Board discussed their accountability for Cafcass's progress in "securing the level and speed of improvement needed to keep children safe and deliver an effective service". It was agreed that the Board needs to have the right mechanisms/reporting processes in place to ensure they are kept as up to date as possible on all relevant issues.

**Action 8 It was agreed that, as a minimum, the Board should receive the quarterly reports produced for the Minister and that time should be set aside at the Awayday to review exactly what mechanisms are needed.**

	The Chair would lead on this, as it also had implications for the way new Board members would work and how the new Board as a whole would work.
<b>10</b>	<p><b>ANY OTHER BUSINESS</b></p> <p>The Chair advised the Board that Toyin Okitikpi had withdrawn his application to join the Board and that she had written to thank him for his contribution thus far. The Chair also advised that Jane Tunstill's term had come to an end and in recognition of her contribution over the years, Board members were invited to contribute to a gift for her.</p>
<b>11</b>	<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>The next Board meeting will be on Friday 12th June at the Latimer Conference Centre, Latimer, Chesham, Buckinghamshire, HP5 1UG.</p>
<b>12</b>	<p><b>SUMMARY OF ACTIONS</b></p> <ul style="list-style-type: none"> <li>• <b>Action 1</b> The Board agreed to move Safeguarding from Priority 3 to Priority 1.</li> <li>• <b>Action 2</b> It was agreed that the Board would have a discussion at the Awayday about the ways they themselves can add value and help make a difference to the work of the staff and services in local Service Areas.</li> <li>• <b>Action 3</b> It was agreed that The Chief Executive would work on putting together a report as part of the Performance Framework that will better inform the Board about organisational performance</li> <li>• <b>Action 4</b> It was agreed that Corporate Directors would work together to revise Section 5 of the Business Plan.</li> <li>• <b>Action 5</b> It was agreed that KPI 3 would be re-phrased as "Quality of practice of safeguarding rated overall as satisfactory"</li> <li>• <b>Action 6</b> It was agreed that an analysis of the 21 areas would be produced for discussion at the Board Awayday in June.</li> <li>• <b>Action 7</b> it was agreed that the letter which the Minister has invited the Chief Executive to write to the Secretary of State should emphasise that steady improvement is achievable, however, if the outside world continues to add pressure within an inflexible system, then expectations are unrealistic. The volume and complexity of our work should also be emphasised.</li> <li>• <b>Action 8</b> It was agreed that, as a minimum, the Board should receive the quarterly reports produced for the Minister and that time should be set aside at the Awayday to review exactly what mechanisms are needed. The Chair would lead on this, as it also had implications for the way new Board members would work and how the new Board as a whole would work.</li> </ul>