



## CHILDREN AND FAMILY COURT ADVISORY AND SUPPORT SERVICE

Paper for the Board Meeting on 10 December 2010

### COMMISSIONING & PARTNERSHIP UPDATE

#### 1. AIM AND PURPOSE

- 1.1 The purpose of this paper is to provide Board members with a current situation report about the uptake and delivery of a range of services that Cafcass commissions from partnership providers. Including child contact services and, on behalf of the Department for Education (DfE), contact activities.

#### 2. RECOMMENDATIONS/ACTION FOR THE BOARD

- 2.1 For information only – the Board is invited to note the contents of this report.

#### 3. SHORT SUMMARY

- 3.1 Commissioning & Partnerships - Current Provision (20010/11):

- Contracts with Providers of Child Contact Centre Services and Grants to Supported Contact Centres
- Contact Activities – Grants to Providers of Parenting Information Programmes (PIP) and Domestic Violence (DV) Perpetrator Programmes

Area	Contracts	Grants	PIP Grants	DV Grants
North	23	55	42	1
Central	29	84	70	7
South	25	85	69	5
<b>Total</b>	<b>77</b>	<b>224</b>	<b>102*</b>	<b>13</b>

\*102 – We have 102 grants with PIP Providers some deliver in more than 1 Operational Area, so the individual area numbers, when added together, exceed the national total. PIP services are provided from 360 geographical locations.

- 3.2 Units of service, at three different levels of cost and intensity, are commissioned from the 77 Child Contact Centre Providers.

#### Service Delivery April 2010 - October 2010 & Profiled November 2010 - March 2011

##### 77 Contracted - Child Contact Centres (CCC)

Unit of Services	North		Central		South		Total	
	Delivered	Profiled	Delivered	Profiled	Delivered	Profiled	Delivered	Profiled
Level 1	107	65	12	12	23	16	142	93
Level 2	355	220	311	256	275	185	941	661
Level 3	1	1	52	43	9	6	62	50
	<b>463</b>	<b>286</b>	<b>375</b>	<b>311</b>	<b>307</b>	<b>207</b>	<b>1145</b>	<b>804</b>

### Contact Activity Directions April 2010 to October 2010

Month	PIP	DVPP
April	365	2
May	565	5
June	655	14
July	850	10
August	895	6
September	1127	6
October	1148	18
<b>TOTAL</b>	<b>5605</b>	<b>61</b>

#### 4. UPDATES

##### **Revised judicial protocol published for Supported Child Contact Centres**

- 4.1 A revised protocol has been issued by the President of the Family Division to help judges and magistrates ensure that Supported Child Contact Centres are used to their best advantage for children, when making orders for referring families.
- 4.2 The protocol, first issued in 2000, now only concerns referrals to Supported Contact Centres and does not cover Supervised Contact Centres. While issued to judges and magistrates, its contents also provide useful information for Cafcass practitioners.
- 4.3 The protocol outlines the basic elements of Supported Contact, emphasising that although staff and volunteers are available for practical help, for example calming a tearful child and keeping a watchful eye, they do not monitor or evaluate individual contact and conversations. The courts and Cafcass must also check that any centre used is an accredited member of the National Association of Child Contact Centres (NACCC). All Cafcass staff may access the NACCC website which provides details of contact centres and their accreditation. The protocol also states that parties and their solicitors should be informed that, apart from attendance dates and times, no report will be made to Cafcass (or other referrers), parties' solicitors or to court.

##### **Family Justice Council /Minister (18/10/10)**

- 4.4 We recently had the opportunity to update the Family Justice Council on the progress of Contact Activities. The update was for FJC members, though Tim Loughton, the Minister with responsibility for Cafcass, also attended the meeting. This has resulted in an invitation to provide a brief version of the PIP Training to the President's Conference in May 2011. In addition, we are also to trial in two pilot areas the concurrent provision of twin Contact Activity Directions (PIP and Assessment for Mediation).

##### **Parenting Information Programmes**

- 4.5 Since PIP became available to the Courts in December 2008, there have been **4,279** participants (to 31-08-10). Attendance is currently running at approx 1,000 each month, but this is anticipated to rise as there are Courts with low referral rates.. There are **102 PIP providers** delivering in up to **360 locations**. An annual total of 12,000 participants is anticipated for 2010-11 as a whole, and our estimate is that PIP should be useful for about third of those that bring a private law matter to court, a possible total of 26,400 ( based on 2009 figures).

- 4.6 **Experience with PIP suggests the following:**

- PIP participants are generally reluctant to attend, and the Court order is necessary

- Orders should follow a risk assessment and engagement process.
- The programme is well designed and is coherent within the 4 hours. The consistency of the programme is important. The aims of addressing cooperative parenting and some underlying emotional issues are realistic.
- Service user / Provider feedback is consistently very good.
- Programme delivery is a high skill, high energy activity, and is being delivered well by partners such as Relate, Mediation Services and local Child Contact Centres. Attendance at PIP does appear to change reported attitudes, though its effect on subsequent behaviour is not yet known.
- PIP is not a 'miracle cure' for all - cases need to be assessed for suitability, and progress made through attendance needs to be consolidated. It does appear to orientate some participants (29%) back to/towards mediation.
- PIP participants consistently say they would have liked to attend PIP earlier, and Providers would like to offer the groups to non court ordered participants
- The Family Justice System is increasing its understanding of PIP, and how best to use this new type of provision.

#### 4.7 **There are options for the future development of PIP:**

- PIP could be delivered earlier – as part of a mediation phase, or made universally available – but an element of compulsion may still be necessary. It is not clear that a PIP provided earlier in the separation/court process will always be as effective.
- PIP could be followed by compulsory mediation assessment in all cases (twin CA orders)
- PIP could be followed by further work by providers to consolidate new understandings and help parties to agree plans (not conciliation, but orientation towards mediation)
- The cost of PIP could be reduced by a more consistent ordering process (prompt sufficient information, and clear enforcement expectations) and once groups become settled

### **Domestic Violence Perpetrator Programmes**

- 4.8 There have now been 57 referrals to programmes, 25 of which are for assessment only. 32 of the referrals have therefore started, and 7 of these are now completed. There are **11 providers** currently able to deliver, 6 are in the process of approval by Respect. 3 of the Providers are Probation services. Some courts are identifying a clear need for services, and this need is currently unmet.
- 4.9 We are planning to open a further application round this autumn and have interest from a number of potential providers. Provision of this service is a substantial commitment and potentially high risk for providers, professionally and financially. Other funding streams (Local Authorities) are far from certain in the future. We are meeting with interested potential providers in mid November and will seek to achieve the appointment of additional providers, subject to quality and viability.
- 4.10 We are coordinating work with providers and Cafcass staff to ensure that referral and feedback processes are clear, and that courts can be assisted to make well-informed decisions are made about contact during and following DVPP, in line with the Practice Direction 'Residence and Contact Orders: Domestic Violence and Harm'.

### **Development of Provision of DV services**

- 4.11 Though we are now slowly increasing the number of DVPP providers, there is a particular challenge faced by potential Probation providers who wish to obtain approval so that there are 13 across the country. These providers are all either Respect accredited or approved. We are working closely with the Probation Service to resolve this issue, which relies on NOMS confirming that their services meet the Respect standards.

- 4.12 Work is continuing on refining referral processes and establishing a standard referral form, alongside new plans to clarify our information on DVPP on the intranet and internet. Work is also taking place to improve Cafcass guidance on contact decisions in cases where there is DVPP participation. Our current claims information shows 35 currently attending, 15 having been dropped from programmes, 22 failing the assessment, and 9 completions.

### **Contact Activity 'PIP' Research**

- 4.13 DfE are currently assessing bids to evaluate the Parenting Information Programme, after recently confirming funding to undertake this work. PIPs have been delivered since 2009. The demand for PIPs has increased substantially in recent months (see section 3 above), with the number of providers also having doubled. While PIPs have received positive initial feedback from participants, no evidence is yet available about the impact that PIPs have had in relation to helping parents to put in place agreed beneficial contact arrangements for their children.

### **Evaluation Aims**

- 4.14 It is hoped that findings from the evaluation will be available in March 2011. The main outcomes of this evaluation project are to examine:
- 1) The numbers of parents with self agreed contact arrangements resulting from participating in the PIP.
  - 2) The numbers of parents who did not re-litigate and have sustained their contact agreement after PIP participation.
  - 3) Levels of satisfaction with contact agreements.
  - 4) Cost effectiveness of PIP compared to litigating couples.
  - 5) Whether parenting programmes could be used at an earlier stage in the private law process.
- 4.15 For stage 1 and 2 the research should focus on parents who took part in PIP last year or had their court case settled in the last year to enable sufficient time to ascertain any long term impacts and the research should also aim to match these PIP and non PIP parents in terms of demographic characteristics and case severity. The findings from the research will enable rigorous comparisons of the impact of the PIPs compared to families who do not attend the PIP programme.

## **5. KEY STRATEGIC ISSUES FOR THE BOARD TO CONSIDER**

- 5.1 The development of the revised model of private law work, now set out in the President's revised (2010) Private Law Programme, would have been made more difficult without the underpinning provided both by the range of child contact services and, more recently, the availability of contact activities. The availability of both types of intervention appears to be an essential element in assisting the courts and families to arrive at sustainable, safe outcomes. A major opportunity to ensure that, after pre-first hearing risk screening and safeguarding checks work have been completed, suitable cases are assisted through these means.

## **6. BENEFITS FOR CHILDREN**

- 6.1 The use of child contact services and contact activities provide additional ways of developing safe beneficial outcomes for children whose cases are brought before the courts by separated

parents, where such interventions are assessed by Cafcass and the courts as being potentially beneficial.

## 7. FINANCIAL ANALYSIS

Funding Source	Budget £ 10/11	Expected Volumes 10/10	Forecast £ 11/12
DfE Allocated Child Contact Services Budget (over and above Cafcass grant in aid)	2,400,000	1,949 units of service	1,400,000
Contact Activity Spend (demand led amount based on actual to date & forecast to March 2011 *)	2,957,620 *	13,538 PIP 100 DV	4 million – 6 million
Cafcass Allocation from its grant in aid £500,000 C&P Team, £500,000 Supported Contact grants	1,000,000	224 Grants	1,000,000
<b>Total Spend</b>	<b>6,357,620</b>		<b>6,420,000 - 8,420,000</b>

## 8. RISK ANALYSIS

- 8.1 Cafcass/DfE resources are insufficient on their own to sustain the Child Contact Services sector, which is subject to fluctuations in its capacity to attract funding from other sources. Cafcass' anticipated child contact services budget 2011/12 is significantly lower than 2010/11 for the commissioned Child Contact Services sector, which risks leading to a loss of Providers. The Commissioning & Partnerships team are working hard to manage the anticipated constrained budget to minimize the impact on the provider base. The risk for Cafcass is that if providers are unsuccessful in attracting other funding, 'gaps in the map' of provision will emerge, which would be unhelpful for children, families and the courts.

## 9. DIVERSITY ANALYSIS

- 9.1 The capacity of providers to meet service users' needs arising from diversity forms part of the providers' three year Framework Agreement. Within the specification set by Cafcass, providers must comply with all legal requirements relating to equality and access to services. Services should be delivered in a way that is sensitive to the needs of service users and service users must receive a service in a language of their choice.

**Bruce Clark**  
Director or Policy

**Fiona Green**  
National Commissioning & Partnership Development Manager

10 December 2010