



**Cafcass Board Meeting Minutes  
30<sup>th</sup> October 2009  
Sanctuary Buildings**

**Present**

Baroness Howarth.....Cafcass Board - Chair  
 Gillian Baranski ..... Cafcass Board Member  
 Jennifer Bernard .....Cafcass Board Member  
 Margo Boye-Anawoma.....Liaison Judge  
 Ian Butler .....Cafcass Board Member  
 Erica De’Ath .....Cafcass Board Member  
 Harry Marsh .....Cafcass Board Member  
 Mary MacLeod .....Cafcass Board Member  
 Shireen Ritchie.....Cafcass Board Member  
 Richard Sax .....Cafcass Board Member  
 Nicholas Stuart .....Cafcass Board Member  
 June Thoburn .....Cafcass Board Member

**Young People’s Board**

Lois O’Neill  
 Zeeshan Shahid

**In Attendance**

Anthony Douglas.....Cafcass Chief Executive  
 Jane Booth.....Deputy Chief Executive  
 Bruce Clark .....Director of Policy  
 Mary Berwick-Sayers .....PA to Corporate Directors

**Apologies**

Mark Eldridge..... Deputy Chair  
 Ernie Finch.....Cafcass Board Member

<b>PART ONE: BUSINESS SESSION</b>	
<b>1</b>	<p><b>APOLOGIES</b>            Apologies were noted from Mark Eldridge and Ernie Finch.</p>
<b>2</b>	<p><b>MINUTES FROM THE BOARD MEETING 11<sup>TH</sup> SEPTEMBER</b>            The minutes were agreed as an accurate record.            It was noted that final versions of Board meetings are posted on the Cafcass website</p>
<b>3</b>	<p><b>MATTERS ARISING</b>            A Board member queried whether KPI 1 can track where each child is in the system between duty and allocation to a named guardian. It was noted that as there are many different duty and early intervention schemes in place throughout the country, it is impossible to capture this information in a sufficiently robust way in a National KPI. However, it was agreed that a position statement on duty/duty advice schemes would be brought to the Board in December 2009. In addition to this the Board will be given the opportunity to look at some in depth examples of schemes operating around the country.            The Board was advised that a new suggested procedure for dealing with children and young people’s complaints had been written. This will ensure that all complaints from children are handled within one month. This will be discussed at the Complaints Working Group to assess its viability.. The views of the YPB Board will then be sought.</p> <p><b>Action 1 : A position statement on duty systems plus some in depth examples of schemes</b></p>

operating around the country to be brought to the Board in December 2009

**Action 2 : Views of the YPB to be sought on a new complaints procedure for children and young people after deliberation by the Complaints Working Group**

**4. Report from Chief Executive**

The Chief Executive gave an update on Flex. Board Members were directed to Mark Eldridge and the Information Assurance and Data Handling Officer for assistance with Board access to Flex. The Chief Executive reported as follows:

- Demand continues to rise and budget pressures remain huge
- The restructure process is moving forward on time and on budget
- Local arrangements with the courts are improving as a result of the President's Interim Guidance and local agreements which reflect that and which also take into account local needs and circumstances
- Ofsted inspections are now running at one per month. Lancashire and Cumbria will be inspected in November and London in December. The implications for Cafcass and the wider implications for Ministers/Government/future Government were discussed
- The Chair and Chief Executive had a constructive meeting with Nagalro and will be engaging further with them in the New Year as part of the work of the Practice Committee. Nagalro and other stakeholders have been invited to the Open meeting in Bristol in December. The Chief Executive advised the Board that the Director of Policy and the Director of Human Resources will be taking over the management of the relationship with Nagalro from the Deputy Chief Executive from April 2010.
- Next week the Chief Executive and the Minister will be interviewed on Woman's Hour on the subject of delays. The Chief Executive will also be interviewed on Radio 4 on the subject of violence and threats against practitioners.

**Action 3 : A paper will come to the Board in December which will look at strategies for the management of local service areas with persistent operational difficulties**

**5. Performance Report**

The Director of Policy was welcomed to the meeting. He advised the Board about three papers that will be coming to the December Board.

- A paper outlining suggested revised KPIs which will reflect the President's Interim Guidance and the Cafcass Operating Priorities, for later consideration by the Secretary of State
- A report on the trial areas that have been testing the President's draft Private Law Programme
- A report on the detailed study on the initiation of s31 proceedings which has just been completed (under KPI 1)

The Board discussed Safeguarding Risk Identification under KPI 3 and queried whether the targets we have set are giving us the information we need. It was suggested that a mechanism is needed to get behind the numbers reported so we can see what the nature of the risk is and the effect of measuring it. This would enable us to identify "hotspots". Members of the Board emphasised how important it is to take care how we describe risk and what it is measuring and discussed the confusion between "risk" and "safeguarding" and the need to manage our risks safely.

The Director of Policy reported that Cafcass is in track to achieve its target to allocate 97% of all private law cases upon receipt by March 2010 and that the President's Interim Guidance has been very helpful in this regard. These cases will in future remain allocated, either to duty or substantively, until the case is

closed (KPI 2).

The Director of Policy advised the Board about the recent agreement with the President to redefine s7 reports into four distinct categories, each with its own timescale.

Under Service User Feedback (KPI 4) the Director of Policy informed the Board that the Peer Mentoring Service is providing us with a much better way of measuring how we are engaging with our service users. The need to have actual numbers after the percentages was noted and agreed.

The Director of Policy advised that from 1<sup>st</sup> November 2009 a much more limited Welcome Pack will be sent out to service users which is more user friendly.

The Chair thanked the Director of Policy for the helpful way in which this report had been compiled. The Director of Policy confirmed that he would be very happy to respond to questions from Board members between meetings.

**Action 4 : Three reports from the Director of Policy to come to the December 2009 meeting**

- A paper outlining suggested revised KPIs which will reflect the President's Interim Guidance and the Cafcass Operating Priorities for later consideration by the Secretary of State
- A report on the trial areas that have been testing the President's revised draft Private Law Programme
- A report on the detailed study on the initiation of s31 proceedings which has just been completed (under KP 1)

**Action 5 : Under Service User Feedback (KPI 4) actual numbers to be inserted after the percentages**

**6. Finance Report**

In the absence of the Director of Finance, the Chief Executive updated the Board on the current financial position. He advised that an overspend of around £1.5m is currently being forecast after remedial measures have been taken and stated that this will be difficult to bridge without a severely detrimental effect on front line staff and services. The Chief Executive advised that Quarter 2 figures will be available in 7 – 10 days in time for the Audit & Risk Assurance Committee meeting.

The Board discussed the possibility of using next year's headroom to support this year's budget but the consensus was that this would make the problems next year that much more difficult as the budget situation will be just as acute.

The Chief Executive advised that he would be writing formally to the Department about the resource gap with suggested options. It was agreed the letter needs to include the following information:

- evidence of the steps we have taken to improve efficiency and that these have been carried through with determination across the entire organisation
- the fact that we have now profiled our budgets properly and will do so in future
- the fact that demand numbers and pressures we are facing are rising advise as precisely as possible what the resource gap will be
- set out the consequences of attempting to bridge the remaining gap

A Board member raised the issue of the need for the Board to sign off the Risk Register Policy and Guidance. This should have been on the agenda for the October Board meeting to allow the Board to discuss and agree the risk appetite within the Policy. It was agreed that this would now come to the December 2009 meeting for sign off.

The Chair of the Audit and Risk Assurance Committee raised concerns about the financial control issues that the Star Chamber and other remedial measures had highlighted, emphasising the importance of making sure there is a programme for tackling these issues, otherwise it will be necessary to include them in the Statement of Financial Control. The Chief Executive advised that much remedial work is in hand to tackle these issues and to ensure that the budget is properly aligned for April 2010. It was noted that there will be a discussion at the Audit and Risk Assurance Committee next week about the steps that are being taken and a report will be presented to the Board in December.

**Action 6 : a formal letter to be sent to the Department highlighting the resource gap**

**Action 7 : the Risk Policy and Guidance to come to the December Board meeting for sign off**

**7. 2010/2011 Efficiency Savings Plan**

The Chief Executive referred the Board to the spending Forecasts and Efficiency Plan 2010 and beyond which sets out the outline position for the 2010/11 budget. This indicates there are sufficient funds within the grant and efficiency savings in hand to support the service providing there are no further material changes in demand levels. It was suggested that we need a more sophisticated mechanism of reporting on demand. It was also noted that system wide changes are needed as there is a limited amount we can control within our remit. The Chief Executive advised that Cafcass could operate on a £135m budget with efficiency savings over the next three years. Board members expressed concern at cutting staff training but it was noted that training on safeguarding framework and Contact Point were continuing but were being delivered on site to reduce costs.

**8. Safeguarding Board (Internal) and Terms of Reference**

The Chief Executive advised that the Board that Jennifer Bernard had agreed to Chair the Safeguarding Board and that Mary McLeod had agreed to be the second Board member.

The Board reviewed the Terms of Reference and it was agreed that a reference to Policy should be added. It was also agreed to add under section 4.3 that the Safeguarding Board will be able to bring issues to the Board at any stage and not only at Annual Report time. It was noted that a schedule of meeting dates is needed.

A Board member emphasised that there will be a cross over between the Practice Committee and the Safeguarding Board and that care will need to be taken to establish the right terms of reference for both.

The Chair of the Safeguarding Board invited the representatives of the Young People's Board to raise any queries they might have with her as and when they occur.

**Action 8 : A reference to Policy to be added to the Safeguarding Board Terms of Reference**

**Action 9 : Add under Section 4.3 that the Safeguarding Board can bring issues to the Board at any stage and not just at Annual Report time**

9.	<p><b>Serious Case Review – 6 Month Update</b></p> <p>The Deputy Chief Executive advised the Board that this update covers the period April – September 2009. She underlined the importance of having people trained to the right level of competency to carry out Internal Management Reviews and advised the Board that the quality of these has improved.</p> <p>A Board member requested that “cot death” is recorded in future reports as “Sudden Infant Death” with “cot death” in brackets.</p> <p><b>Action 10 : “Cot death” to be recorded as “Sudden Infant Death” with “cot death” in brackets in all future SCR updates</b></p>
10	<p><b>DATE OF NEXT BOARD MEETING</b></p> <p>The next Board meeting will be held on <b>Thursday, 10 December</b> at 5pm in Bristol. This will be followed by dinner with some member of the local Judiciary at 7.30pm. The Open Board meeting will take place on <b>Friday 11<sup>th</sup> December</b> from 10am – 2pm.</p>
11	<p><b>SUMMARY OF ACTIONS</b></p> <p><b>Action 1 : A position statement on duty systems and allocation to a guardian plus some in depth examples of schemes operating around the country to be brought to the Board in December 2009</b></p> <p><b>Action 2 : Views of the YPB to be sought on a new complaints procedure for children and young people after deliberation by the Complaints Working Group</b></p> <p><b>Action 3 : A paper will come to the Board in December which will look at strategies for the management of local services with persistent operating difficulties</b></p> <p><b>Action 4 : Three reports from the Director of Policy to come to the December 2009 meeting</b></p> <ul style="list-style-type: none"> <li>• <b>A paper outlining suggested revised KPIs which will reflect the President’s Interim Guidance and the Cafcass Operating Priorities for later consideration by the Secretary of State</b></li> <li>• <b>A report on the trial areas that have been testing the President’s revised draft Private Law Programme</b></li> <li>• <b>A report on the detailed study on the initiation of s31 proceedings which has just been completed (under KP 1)</b></li> </ul> <p><b>Action 5 : Under Service User Feedback (KPI 4) actual numbers to be inserted after percentages</b></p> <p><b>Action 6 : a formal letter to be sent to the Department highlighting the resource gap</b></p> <p><b>Action 7 : the Risk Policy and Guidance to come to the December Board for sign off</b></p> <p><b>Action 8 : a reference to Policy to be added to the Safeguarding Board Terms of Reference</b></p> <p><b>Action 9 : Add under Section 4.3 that the Safeguarding Board can bring issues to the Board at any stage and not just at Annual Report time</b></p>

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