



CHILDREN AND FAMILY COURT ADVISORY AND SUPPORT SERVICE
Paper for the Board Meeting on 12 June 2019
REPORT OF THE INTERIM CHIEF EXECUTIVE

KEY POINTS

- Our priorities for practice have continued to be to monitor carefully the levels of demand and open work and establish a programme of activity to try and minimise processes and procedures where appropriate to do so.
- Our priorities for people have been to continue to monitor workloads and capacity and ensure our health and wellbeing support is comprehensive and as easy to access as possible when people are under pressure.
- We have maintained our visibility across a number of important existing and new stakeholder bodies continuing to push to ensure their work gives appropriate focus on the needs, wishes and feelings of the child and also moves forward for system improvements across both public and private law.
- We are pleased and excited to be welcoming our new Chief Executive in early September and continue to maintain and strengthen our senior management capacity and capability.

1 AIM AND PURPOSE

- 1.1** To provide an overview of progress and a forward look regarding our practice, people and partners.

2 RECOMMENDATIONS FOR THE BOARD

- 2.1** To note and comment on this overview and forward look.

3 PRACTICE

3.1 Demand and open cases

Detailed information on demand, open cases, resources and capacity is provided elsewhere on the agenda for this meeting but a summary of the headlines for the month is provided here. We have continued to see a difference in the trends in demand between public and private law referrals with a decrease and increase respectively. The stock of open work has fallen slightly compared to the beginning of the month but on longer term trends remains higher than this time last year. In particular:

a) Public law (Care):

Cafcass received 2,240 new care applications during YTD 2019-20. This is **7.1% (170 applications) lower** than 2018-19 and 0.1% (2 applications) lower than 2017-18. We received 1,154 new care applications during May 2019. This is 11.3% (147 applications) lower than May 2018.

a) Private law:

Cafcass received 7,637 new private law cases during YTD 2019-20. This is **7.5% (535 cases) higher** than 2018-19 and 13% (879 cases) higher than 2017-18. We received 3,961 new cases during May 2019. This is 8.8% (321 cases) higher than May 2018 and highest monthly demand for May since 2013.

b) Open Stock:

Overall we had 34,885 total open cases at the end of May 2019, 0.4% reduction (124 cases) on April 2019, and an increase of 9.2% (2,948 cases) compared to May 2018 (31,937).

3.2 *Small Changes Programme and No Stone Unturned*

These aligned programmes of work have been developed through sourcing ideas across the organisation on what practical steps might be taken to change current practices and processes to make them smaller or more efficient or in other ways unblock activities that are a drain on scarce time and capacity. Early indications are that the proposals are and can have a positive impact albeit some may be slow to gain momentum. Examples include shorter templates for safeguarding letters where there are no significant concerns related to risk.

3.3 *Review of next steps for Cafcass Plus*

We have been reviewing our future guidance on Cafcass Plus to ensure it aligns with pre-proceedings guidance being developed under auspices of the FJC (our Head of Legal is on the group) with a proposed Family Justice Observatory working group on infant removals. The judicially led public law working group has also made some recommendations in relation to pre-proceedings work. Our review of Cafcass Plus cases to date has identified promising results but it is an intensive model, and we are not currently resourced to replicate the model across the country, and this would in any case not be our priority for additional funding given the primary responsibility lies with LA children's social workers. Longer term, we think wider national guidance and protocols are needed on planning for infants and are pleased that this is being taken forward by the Nuffield Family Justice Observatory.

3.4 *Annual awards submissions*

Several awards which Cafcass has entered in the past are now open for nominations (CYP Now awards, SWOTY awards and Civil Service Awards). Nominations are typically sourced through the management line. It is noticeable in this year's round of seeking nominations just how reluctant staff and even managers are to put individuals or teams forward. That is not to say finding strong nominees isn't challenging in any given year as individuals can be very reserved and private about their expertise and track record. But in a period in which so many staff feel the pressure of work, there is a significant resistance to want to stand out or for a manager to single out individuals. At the time of writing we believe we have strong submissions on an individual contribution and an example of innovative practice. It will be interesting to see however whether this resistance extends to other parts of the social work sector given the extensive nature of funding and workload challenges.

3.5 *Practice Forward Look*

We will continue our weekly monitoring of changes in levels of incoming and open work. We will also be considering whether we extend our application of behavioural insights thinking beyond its current use in the Co-parenting Hub. We will also be taking stock of the impact of our Child Impact Assessment Framework and any revisions that may be necessary.

4 PEOPLE

4.1 *Staff sickness, health and wellbeing*

Average working days lost (AWDL) through sickness was consistently higher than the annual average between January and March 2019, but as expected for the season. For Social Workers (10.96 AWDL at the end of March 2019) and showing a monthly increase for Non-Social Workers from January to March 19 (8.16 to 9.34). 92.2% of FCAs returned a score of 3 out of 5 or more on workload, worklife balance and health and wellbeing factors from their PLR Self Assessment.

4.2 Casework and capacity

Our April 2019 snapshot shows the average caseloads for our staff have increased to 22.2 active cases compared to 20.5 twelve months ago. The rise is most notable in Private Law where on average, non-EIT FCAs were holding 25.1 cases in the latest snapshot. National caseload has been slowly increasing but with available FCA capacity also forecast to increase from April to June.

4.3 People Forward Look

We will continue to review trends in caseload and capacity and also our performance in the level and management of employee relations cases. We will also be monitoring the impact on capacity of our Small Changes and No Stone Unturned Programmes.

5 PARTNERS

5.1 Strategic Plan and Stakeholder engagement strategy

We reviewed arrangements to finalise and then launch the revised Strategic Plan with a view to making recommendations to the Board. In summary we are proposing a 'soft launch' with staff in mid July to ensure they are familiar with its content and key points before the external launch in the autumn. At the same time we will provide staff with a 'you said, we did' document explaining how we have taken account of the feedback in the strategy document, and in our approach to implementation. We are proposing that the main external launch activity will then take place in the autumn to coincide with the arrival of Jacky Tiotto, our new Chief Executive. The Strategic Plan is a substantive item on the agenda of this meeting.

5.2 Family Justice Board

This meeting focused on Private Law acknowledging the need for a public health approach to pre-court work, recognised the need for a combination of longer term re-engineering and short term management of demand, with proposals for these coming back to the next meeting of the Family Justice Board.

5.3 Family Justice Observatory

This was the first meeting of the Board (of which the Director of Strategy is a member). Specific items covered included agreement of key roles for the FJO, effective engagement with Local Family Justice Boards and how to involve stakeholders in the identification and selection of topics for analysis.

5.4 Coram BAAF conference on contact in adoption in the digital age

The Director of Strategy attended this conference exploring a mixture of academic and practice perspectives including powerful and honest accounts from adopted young people, birth parents and adoptive parents of their feelings and experiences about contact. The meeting identified the need for further work to revisit and possibly then extend the circumstances in which relationships with birth relatives (including siblings) can be supported, and to share learning and practice between adoption and fostering contexts.

5.5 FCO work programme

Under the terms of a Memorandum of Understanding with the Foreign and Commonwealth Office (FCO) Cafcass have acted as a delivery partner providing support on social care issues since January 2017. This has consisted of a variety of interventions aimed at improving safeguarding services and the programme has received a high mark in a recent evaluation of its progress by an in-house FCO auditor. We are reviewing the level of input appropriate for Cafcass to invest in the programme and our commitment to maintaining involvement beyond the end of March 2020. The level of management oversight and administration required by the programme and the FCO itself have proved onerous and potentially unsustainable.

5.6 Supporting Families DfE Funding round

On 22 May 2019 the Government announced plans to spend £15m over the next year to keep children out of care. DfE has stated this will expand the FDAC model to new sites as part of a Supporting Families: Investing in Practice project. The project will also expand Family Group Conferencing, where children at immediate risk of being taken into care will be involved in a conference along with their wider family network, supported by an advocate. DfE aims to work with up to 40 local authorities to test and expand the 2 models. The programme is being delivered through the Local Family Justice Board network, with tight timescales of a matter of weeks for local authorities to submit applications. We have developed some principles for engaging in local applications for funding that ensure we can hold a nationally consistent position and make an appropriate and proportionate local contribution.

5.7 PFD Conference

The Director of Strategy and Head of Legal attended the conference. System pressure and the need for collaborative working were themes within the speech of the President himself and also the President of the ADCS. Headlines on the proposals from the two judicial lead working groups were also shared with a timetable to take these forward by late Autumn.

5.8 Partners Forward Look

We will be checking the effectiveness of our current arrangements for collaboration with the ADCS and thinking how these may be enhanced. We will also be reviewing progress in developing the scope for our virtual Voice of the Child Centre of Excellence. A number of partners have expressed interest in working with us on this. Also, where we are with progress on the Digital Public Law Portal. Also, how we progress a previous workstream to benchmark the cost of family law cases through the system. Finally, the Chair of the Board and Interim Chief Executive have a meeting with the new Minister, Paul Maynard, on the 26th June 2019.

6 ORGANISATION

6.1 Changes to make up of the Corporate Management Team

We have a confirmed start date for our new Chief Executive, Jacky Tiotto, being Monday 2nd September 2019. Work is in hand to develop a tailored induction plan with a bespoke onboarding platform already established for Jacky to access a range of corporate and operational literature. Dates with CMT members are also being co-ordinated prior to her joining. These will also enable us to understand her own expectations and priorities for her early weeks and months. A number of invitations to key events are also being extended, including the Voice of the Child Conference in July. With a day of committees and the September Board briefing all falling a week after Jacky begins with us, this will give an early opportunity for Board members to meet with her.

In addition to preparation for the arrival of the new Chief Executive, CMT have also developed a proposal to establish interim arrangements to prepare for and manage the departure of the National Service Director (NSD) at the end of this financial year. These include the creation of two Deputy Directors from the existing Assistant Director group to take on a share of the current NSD portfolio. While this does not commit the organisation to permanent implementation, we have the opportunity to see these operating with the new Chief Executive, to facilitate in good time a final decision on succession arrangements.

6.2 Engaging with the media

Cafcass were involved in two media programmes during May, reflections on which have caused us to review our approach to future media appearances. We are refreshing our internal protocols on deciding on future participation which consider issues such as: whether we have a clear position on it and are best placed (relative to our family justice partners) to offer a view; reputational risk (both from participating or declining); alternative means of sharing our position; previous handling by the journalist/outlet; and any soundings from MoJ or other relevant press office.

6.3 Area Boundary Changes

In order to create a more balanced distribution of caseloads between service areas, a number of small changes have been made but more substantially the creation of a new A18 being the Herts/Bucks/Beds team being transferred from A14 and to another Assistant Director.

6.4 Risk Tolerance Assessment (MOJ)

The MOJ Executive Committee have written to all ALBs providing information on their updated review of key risks and their assessment of them. This information has been shared in the interests of transparency in acknowledging their risks, continuing to escalate risks to a level where they can be resolved, and being able to gain a consolidated view of risk across the entirety of the MoJ. We have reviewed the assessment and consider while there are areas in common there are also areas unique to the department. There are a small number of areas where our assessment of risks in common differ. Their assessment of their technology infrastructure risks has been assessed as high (where ours are low) and that demand is a medium risk (our assessment is high).

6.5 Organisation Forward Look

We will be developing a comprehensive induction programme for our new Chief Executive and reviewing the operation of our senior management arrangements.

7 KEY STRATEGIC ISSUES FOR THE BOARD TO CONSIDER

7.1 The latest version of the revised Strategic Plan is a separate item on the agenda for this meeting. The contents of this report provide an update on activities in support of the three pillars of that strategy and a forward look to priorities in the coming month, prior to the next Board Briefing on the 10 July 2019.

8. BENEFITS FOR CHILDREN

8.1 The focus of all our activities to improve practice, develop a talented resilient workforce and bring our influence to bear on current and future systems and policy is towards benefiting the children we currently and will come to work with.

9 FINANCIAL ANALYSIS

9.1 There are no direct financial implications arising from this report. There is a separate finance report on the agenda for this meeting.

10 RISK ANALYSIS

10.1 There are no direct risk issues arising from this report. There is a separate report on the updated Strategic Risk Register on the agenda for this meeting.

11 DIVERSITY ANALYSIS

11.1 There are no direct diversity implications arising from this report.

Julie Brown, Interim Chief Executive and Director of Resources
5 June 2019