



**Cafcass Board Meeting Minutes
Wednesday 12th June 2019 10.30 to 13.00
21 Bloomsbury Street**

Present

Edward Timpson CBE, Chair of the Cafcass Board
Sally Cheshire CBE, Deputy Chair of the Cafcass Board
Francis Plowden, Chair of the Audit and Risk Assurance Committee
Stuart Smith, Chair of the Performance and Quality Committee
Fay Selvan, Board member
Caroline Corby, Board member
Joanna Nicolas, Board member
Paul Grant, Cafcass Board member
Deep Sagar, Cafcass Board member
Catherine Doran, Cafcass Board member
Mandy Jones, Cafcass Board member
Sophie Humphreys OBE, Cafcass Board member

In attendance

Julie Brown, Interim Chief Executive Officer and Director of Resources
Teresa Williams, Director of Strategy
Christine Banim, National Service Director
Melanie Carew, Head of Legal Services
Colette Jacobs, Head of Service (Corporate Services)
Nicola Blakebrough, Corporate Strategist
Grace Egbewole-Adereti, Board and Corporate Support Assistant
Neal Barcoe, Deputy Director for Family Justice Policy, Ministry of Justice
Benjamin, Family Justice Young People's Board Representative

Apologies

None

MINUTES

1. Chair's Welcome

The Chair welcomed everyone to the meeting.

2. Apologies / Declarations of Interest / Minutes / Actions

2.1 Apologies

No apologies were received.

2.2 Declarations of Interests

There were no new declarations of interest.

2.3 Draft Minutes from the Board Meeting on 20th March 2019

The Board approved the minutes of the meeting held on 20th March 2019.

2.4 Action Log

The Board reviewed the Action Log and noted that all actions were either completed or on track for completion.

The Board discussed the action that 'the Ministry of Justice (MoJ) representative would feedback about the work of the Public and Private Law Judicial Working Groups to colleagues. The MoJ representative updated he had fed back on the work of the Public and Private Law Judicial Working Groups to colleagues and that suggestions for reform had been well received, though the scope for widescale reform was limited due to political uncertainty, ministerial change and the Government spending review. The Working Groups were due to produce interim reports on 24th June for consultation which would run until 30th September. The MoJ representative would meet with the President of the Family Division to discuss the proposals of the groups in July. The Board agreed that it would review the interim reports at the Board Briefing on 9th September.

There were no further matters arising.

Action 1: The Board would review the Public and Private Law Judicial Working Group's interim reports at the Board Briefing on 9th September.

3. Report from the Interim Chief Executive Officer

The Interim Chief Executive Officer and Director of Resources presented the report to the Board.

Demand had continued to increase in Private Law while Public Law had seen a slight decrease. The stock of open cases had fallen slightly in recent weeks but overall remained higher than the previous year.

The priorities identified in the 'No Stone Unturned' programme were noted as having a positive impact on saving staff time.

The Board discussed Cafcass' recent media appearance and noted that the Corporate Management Team (CMT) had reviewed its media strategy.

The Board were informed that two Deputy Directors had been appointed from within the Operational Management Team. The Deputy Directors would join CMT as part of succession planning for the departure of the National Service Director in 2020. The Board also noted the service area changes which had been made to equalise the share of national workload between the Assistant Directors.

It was suggested that the Board Report template be amended to reflect the impact for children rather than solely benefits.

Action 2: The Board template would be amended to reflect the impact for children rather than solely benefits.

4. Feedback from Board Visits (Oral item)

Board members provided feedback on Board visits which had taken place at the Central London Family Court, Coventry, Exeter, Middlesbrough and Stafford offices in line with the Board visit programme. The Board discussed feedback and noted:

- Variable performance of network connections in the Coventry office.
- Rising caseloads amongst staff in the Middlesbrough office, making allocation of new cases more difficult, but nonetheless reporting good morale.
- Workloads had increased in the Stafford office but there was good promotion of health and wellbeing support and services.
- Concern was noted about the treatment of adult parties at first hearing, particularly litigants in person, as observed during a court duty visit.
- Positive feedback about the health and wellbeing support and services.

The Board noted gender options had been updated in ECMS.

5. Report from the Family Justice Young People's Board

The Chair welcomed Benjamin, a representative of the Family Justice Young People's Board (FJYPB) who presented highlights from their report.

- From January to June 2019 the FJYPB had completed 25 commissions with a range of key stakeholders, 9 of which were for Cafcass.
- The annual Voice of the Child 2019 conference would take place on Wednesday 24th July. The theme of the conference would focus on the Mental Health and Wellbeing of Children and Young People.
- The FJYPB are looking to establish a FJYPB Champion within Ofsted.
- Three FJYPB members and the Cafcass Board lead for FJYPB took part in the stakeholder interviews for the new Chief Executive role.
- FJYPB members had responded to the Cafcass Board Effectiveness Review.
- The FJYPB had 'taken over' Cafcass Stafford office in May 2019 and would be repeating the exercise at the National Business Centre in August 2019. The aim of these events is to make the waiting area and the family rooms more appealing and welcoming for the children and young people who visit.
- A short set of top tips for professionals working with children and young people in pre-proceedings in Public Law had been submitted to the pre-proceedings working group.
- The FJYPB had completed all 13 inspections of supported contact centres based in the north of England.

The Board commended the work of the FJYPB and noted the importance of their developing relationship with HMCTS. The Board requested that photographs of takeovers be shared for information.

The Chair thanked the FJYPB representative for their report.

Action 3: The FJYPB would share photos of office takeovers for information.

6. Reports from the Audit and Risk Assurance Committee and the Performance and Quality Committee

Audit and Risk Assurance Committee (ARAC):

The Chair of ARAC informed the Board that ARAC had met on 7th May and 12th June 2019. An overall substantial audit opinion had been given by the internal auditors for the 2018-19 internal audit programme. The audit areas had been agreed for 2019-20 with further

discussion between the Interim Chief Executive Officer and Director of Resources and the Audit Manager regarding priorities and delivery schedule.

The Committee had requested that the language in the Annual Report and the Risk Register be amended to reflect the Committee and Board's position that any unauthorised disclosure of personal data was unacceptable, recognising however, the risk could not be entirely eliminated.

The Chair of ARAC had attended a meeting of the Chairs of the MoJ sponsored Arms-Length Bodies and noted that Cafcass was classified as a high-risk organisation because of its role in safeguarding children and the challenge of managing demand within budget.

The Board praised the successful achievement of the IT transition during 2018-19. The Board discussed Project Sapphire and whether this project merited the reinstatement of the Business Change Board. It was agreed that ARAC would provide scrutiny and an update on Project Sapphire and its programme plan would be provided to the next ARAC meeting.

Performance and Quality Committee:

The Chair of the Performance and Quality Committee reported that the last meeting had been held on 20th May 2019. The Committee reviewed the audit into the use of experts and progress with the Ofsted action plan. The FJYPB had provided a presentation on mental health and resilience of children and young people. The Committee also discussed the Foreign Commonwealth Office (FCO) work programme and noted that Cafcass would be appraising its work with the FCO in light of increased workload. The availability of any existing study or the potential for a further study on the complexity of cases would be discussed with the Director of Strategy.

The Chair thanked the Committee Chairs for their reports.

Action 4: ARAC would provide scrutiny of Project Sapphire and its programme plan would be provided to the next ARAC meeting.

7. Finance Report

The Interim Chief Executive Officer and Director of Resources presented the Finance report. The accounts for 2018-19 had been completed, subject to completion of pension audit work and receipt of the audit certificate from the National Audit Office (NAO).

8. Demand Levels and Resourcing

The National Service Director presented the Demand Levels and Resourcing report to the Board. Overall demand for the service had decreased in Public Law but increased in Private Law. The overall trend for new care applications had seen the number of new applications received per day reduce slightly on average during 2018/19. Private law demand continued to increase significantly with quarterly demand levels consistently being at the highest levels since the introduction of the Child Arrangement Programme in April 2014.

The National Service Director confirmed that the Small Changes Programme was intended to create capacity to carry on at high levels of demand pending any broader system reform. The National Service Director was investigating the variations in sickness levels and length of employment.

The Board noted the use made of Cafcass Associates and agency staff to address demand.

8. Strategic Risk Register

The Board noted the updated Strategic Risk Register.

9. Annual Report and Accounts 2018-19

The Chair of ARAC presented the Annual Report and Accounts (ARA) to the Board for endorsement and sign off in principle, subject to receipt of the NAO certificate which had been delayed due to an increased focus by the NAO on auditing of local government pension scheme assets and liabilities. The audit had substantially approved the ARA, to which the NAO audit certificate would be appended when issued. Arrangements were in hand to secure a later parliamentary laying date.

The Board discussed further minor amendments to the ARA which were noted and would be incorporated into the ARA. The Board approved and also commended the ARA and asked that this be conveyed to all staff involved in its development.

The Board noted efforts to benchmark the organisation's personal data related breaches but understood the level of reporting against the General Data Protection Regulations amongst other organisations was inconsistent.

10. Strategic Plan Refresh

The Director of Strategy provided an update on the Strategic Plan to the Board and outlined the plans for a soft launch for staff in July in advance of the external launch in the autumn. Key messages for the Strategic Plan were being worked on with the incoming Chief Executive Officer and an internal staff webinar would take place on the day of launch. The Board noted that the Strategic Plan's priorities link in with closer partnership working between Cafcass and the judiciary. The Board proposed amendments to the Strategy which would be incorporated.

Action 5: The Board's proposed amendments to the Strategic Plan Refresh would be incorporated.

11. Any Other Business

There was no further business.

Actions summary

- Action 1: The Board would review the Public and Private Law Judicial Working Group's interim reports at the Board Briefing on 9th September.
- Action 2: The Board template would be amended to reflect the impact for children rather than solely benefits.
- Action 3: The FJYPB would share photos of office takeovers for information.
- Action 4: ARAC would provide scrutiny of Project Sapphire and its programme plan would be provided to the next ARAC meeting.
- Action 5: The Board's proposed amendments to the Strategic Plan Refresh would be incorporated.