



CHILDREN AND FAMILY COURT ADVISORY AND SUPPORT SERVICE

Paper for the Cafcass Board meeting on 9 October 2019

Demand Levels and Resourcing

KEY POINTS

Cafcass' total new case demand, including all Public Law (care and non-care) and Private Law, has increased by **4.3% (1,127 cases)** in the financial year to date 2019/20 (Apr-2019 to Aug-2019), this included:

- **5,590** new Public Law Care applications year to date 2019/20 (Apr-2019 to Aug-2019), a decrease of **5.2%** (306 applications) compared to 2018/19 and a decrease of **7.7%** (469 applications) compared to 2017/18.
- **2,369** new Public Law Non-Care cases year to date 2019/20, an increase of **10.6%** (228 cases) compared 2018/19 and an increase of **14.8%** (305 cases) compared to 2017/18.
- **19,294** new Private Law cases year to date 2019/20 (Apr-2019 to Aug-2019), this is an increase of **6.5%** (1,179 cases) on 2018/19 and an increase of **8.3%** (1,471 cases) compared to 2017/18.

Current trend and forecast:

- The overall trend for new cases being received continues to show a long-term increase.
- **S31 Care and Supervision** (s31) duration has remained at **33 weeks** for the second consecutive quarter.
- **43.2%** of S31 Care Applications are complete within 26 weeks; this is down from 44.8% in the previous quarter.
- **64%** of S31 Care Applications provided less than seven days' notice before the first hearing in 2018-19.
- **Total** demand for new **private law** cases continues to increase significantly with quarterly demand levels consistently being at the highest levels since the introduction of the Child Arrangement Programme in April 2014. July 2019 saw Cafcass' second highest demand on record.
- **24%** of private law cases received in 2018/19 had less than four weeks to the first hearing from application.
- In their latest quarterly forecast (end of Q1 2019/20), the MoJ projected a decrease of **0.1%** for public law and an increase of **4.3%** for private law. These are reviewed and updated biannually. MoJ forecasts are based on HMCTS receipts for financial remedy (private law) and care and supervision applications (public law).
- Cafcass' own forecast based on historic data indicates an overall increase of **+2.7%** for total public law) and **5.3%** (+6.4% for private law for 2019/20. Cafcass includes all cases that it is involved with (including adoption) in this total forecast.
- The duration of our involvement in S31 care and supervision cases is forecast to increase.

1 AIM AND PURPOSE

- 1.1 To share with the Board for information and assurance the steps being taken, both corporately and operationally, to manage demand and support the workforce.

2 ACTION FOR THE BOARD

- 2.1 To consider if the actions taken by Cafcass officers provide assurance in the Board's governance role.

3 KEY STRATEGIC ISSUES FOR THE BOARD TO CONSIDER

- 3.1 The Chief Executive and the Corporate Management Team (CMT) continue to discuss the continuously rising total demand with the Ministry of Justice (MoJ). The budget secured for 2019/20 represents a challenge against the rising demand and the increase of work on individual cases received for Family Court Advisors (FCAs).
- 3.2 The Chief Executive, CMT and Operational Management Team (OMT) are all fully engaged and contributing to achieve reforms in the Family Justice System. Every Assistant Director continues to work with District Family Judges (DFJs) and Local Family Justice Boards (LFJBs) to ensure local systems respond collaboratively and constructively to the increased demand. Cafcass managers now chair 15 LFJBs, one third of the total number in England.
- 3.3 Cafcass' **Model Office** provides a framework for management, feedback and evaluation of new operational innovation, supporting the development of several new pilot workstreams aimed at increasing capacity and enhancing service to children and families, work includes:
 - 1) **Sector-wide reform**: Learning from Cafcass' private law pathway work has contributed to consideration of reform of the Child Arrangements Programme, under the President's Judicial Working Group. The evaluation of the Manchester Support with Making Child Arrangements Pilot was provided to the group, as well as learning on digital interventions from the ongoing Co-Parent Hub pilot.
 - 2) **'Small Changes'**: OMT has launched a national programme for staff to submit small improvement ideas which, over time, will add up to more significant savings. For example, FCAs have asked for quicker access to court, as valuable time is taken entering court buildings via the public security queue. A 'Cafcass Pass' is being **explored** with HMCTS to fast-track practitioners' access into the court building. Feedback so far has been significant, with many submissions being diverted into the requirements of existing national projects (e.g. the replacement for ECMS). Ideas are reviewed quarterly and are coordinated through the Model Office.
 - 3) **Alternative pathways** for cases with specific needs: OMT agreed with a recommendation in July to implement the Cafcass Positive Co-Parenting Programme into national practice. A pre-pilot live case file review to consider how a joint process with HMCTS could work to deal differently with returning cases has also been undertaken.
- 3.4 **'No Stone Unturned'** action plan: OMT are also exploring ways to help staff manage the challenges of rising demand by testing efficiencies across business processes. Two current pilots include: **The third-party document upload pilot**, where ways are being explored to minimise the number of documents FCAs are required to upload onto ECMS to be able to focus more time on social work tasks. The **Central Intake Team (CIT) screening pilot**, which is streamlining the process between CIT and the Early Intervention Team (EIT) and reducing any duplication and improving the speed of our response to new demands for service in private law. FCAs have been piloting the use of a **Low-Risk Safeguarding Letter** template to reduce the work required. Initial findings are that this is saving significant time and has the potential to be used in around 20% of new private law cases. Work continues, but initial feedback has been positive with several Judges welcoming the introduction of a succinct focused Cafcass report.

- 3.5 **Cafcass Associates** have been effectively deployed during the forecasted high levels of demand over the summer months in a period where resources are lower due to planned annual leave. Effective management planning and use of an internally developed electronic 'pressure tool' helped inform management decision making in support those areas under most pressure. Short-term demand pressures in the most vulnerable areas have been mitigated through additional planned contingency funding agreed by CMT.
- 3.6 The **National Business Centre** (NBC) continued to process unprecedented levels of new demand including initial screening, work allocation and PNC (Police National Computer) checks. The Cafcass central call centre handles between 1,000-1,500 calls a day and digitised central post and document management removes the need for high volume local administration. Work continues to further streamline centralised processes working closely with HMCTS and the MoJ.
- 3.7 IT and data innovation remains central to supporting the increase in workforce capacity. **Skype** meetings are a business as usual feature at all operational and corporate levels, being extended for use in both training and contact with external organisations. Use of advanced analytics for all staff continue to evolve with a range of new tools deployed to simplify the delivery of essential operational and people information utilising **PowerBI**. A significant organisational project '**Project Sapphire**' is underway on the replacement for the electronic case management system (ECMS). Extensive staff consultation has shaped the requirements for the new system, which will provide efficiencies and productivity opportunities through better technology and a better user experience. We plan to start implementing the system in stages alongside existing ECMS starting in early 2020 and completing by October 2020
- 3.8 Compliance with the **Performance & Learning** Review (PLR) framework remains within target, with **90%** of eligible practitioners having had a PLR within the three months June to August 2019. Further enhancements to the electronic PLR tool are planned for April 2020.
- 3.9 The quality of work remains consistently high despite the demand pressure. Data from the **Quality & Assurance Impact** electronic tool continues to exceed targets for full case file audits graded as Requires Improvement and Outstanding. In the 3 months July to August 2019: the Requires Improvement rate was 3% (target 7%) the Outstanding rate was 13% (target 10%). Compliance also remains high with **85%** of eligible practitioners having had at least two case file audits in the last three months, just short of the 90% target, although this takes into account the summer period where the highest levels of planned absence do impact these figures.
- 3.10 Thorough review of practice by the National Improvement Service (NIS) continues to ensure high quality, identifying strengths and learning. The rolling programme of audit continues with two recent thematic audits; reviewing the **National Use of Experts**, and the national disparity between referrals to **Domestic Abuse Perpetrator Programmes**. Also included in the audit schedule was an area quality review (AQR) of teams in Birmingham, the Black Country, Shropshire and Worcestershire (A12).

4 **CURRENT SOCIAL WORK RESOURCING**

- 4.1 Supporting the strategy of Forward Recruitment, every service area works with HR and Finance to predict future leavers, and early recruitment to fill those posts is ongoing. Newly available analytics also support more accurate planning around resources. Cafcass' online recruitment platform continues to achieve success, with the number of applicants continuing to rise and applicants being offered jobs and commencing their posts more quickly. In the 12 months ending August 2019, Cafcass employed **257** of which 227 were social work staff (including 157 FCAs, 67 Bank/Sessional FCAs and 3 Service Managers).
- As at 31 August 2019 we had an employed¹ social work FTE of **1,382.19** in line with the overall recruitment plan. Agency social worker numbers reduced from 45 in August 2018

¹ 'Employed' refers to salaried staff with Cafcass contracts of employment and excludes all flexible workforce staff.

to **37** in August 2019. In the past 12 months we have also converted **43** of the best agency talent to permanent positions.

- Between 1 April 2019 and 31 August 2019 Cafcass received on average 259 new cases per working day compared to 245 per working day for the same period in 2018. The continued increases have seen work demands for our Business Services staff increase significantly, with processing units within our NBC and local Cafcass offices dealing with unprecedented workloads.
- Cafcass Associates work across both public and private law and can be deployed to the service areas most in need, providing an experienced and flexible additional workforce. The overall pool of Cafcass Associates workforce is currently **126**.
- We also encourage retiring staff members to consider continuing to offer their experience and expertise as bank workers.

5 CURRENT SOCIAL WORK CAPACITY

- 5.1 Demand for services continues to increase with the overall national open children's caseload increasing by **9.2%** in the last 12 months. Overall, the number of open Private Law cases has risen by 15.5% with the open Public Law cases reducing by -0.5%.
- 5.2 Average active caseloads have shown an increase which can be largely attributed to the ongoing rises in private law demand. As at September 2019, the average active caseload for a FCA was **22.4 cases**. This is around an **8% increase** on summer 2018, the national average has been around this level for the last 6 months.
- 5.3 System wide the outstanding children's case volumes for both public and private law have grown steadily reflecting capacity being unable to keep pace with demand. The increasing number of outstanding children's cases in both Public and Private law, and the increased average duration of these cases, increases the requirement for additional hours to maintain contact with families and for FCAs to review and renew their intervention over longer period.
- 5.4 We are planning to renew our analysis of the factors affecting the quantum of work required in different types of cases (hours per case) so that we have an accurate, up to date, and more granular understanding of the additional complexity and work reported by our FCAs to inform resource allocation and any tailoring or other developments required in our service.
- 5.5 We continue to both recognise and manage the pressures of demand by supporting staff to maintain attendance levels as high as possible. For the period June to August 2019, social work sickness levels were similar (**9.4** average working days lost) to the same period in 2018 (9.5 average working days lost). The highest category of sickness in this period (41.1%) was due to Mental Health reasons, of which 63% reported Non-Work related and 37% Work related.
- 5.6 Staff turnover for the 12-month period ending August 2019 remains low at **10.5%** for Cafcass' social work staff, compared to a national average of around 16% for local authority children's services social work staff.²

6 ORGANISATIONAL DEVELOPMENT

- 6.1 The focus of organisational development continues to be on equipping staff to be productive, support wellbeing and develop talent. This includes:
 - The **My Casework and Me** workshops have delivered learning across practice, IT and health and wellbeing to help those staff who are struggling to be productive with practical tips to help them work smarter, increase quality and manage their workloads. To date **61** staff identified through organisational data and management feedback have attended workshops (with more scheduled). A three-month impact survey from those attending has

² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/782154/Children_s_social_work_workforce_2018_text.pdf

been highly positive across areas of feedback including time management, use of technology and health and wellbeing.

- Introduction of a rolling programme of Area Stress Risk Assessments to identify any specific work and non-work-related stressors within each area and location. Results are shared with the Service Area Management and team meetings and an area/team specific wellness action plan developed to provide staff with support to help minimise any negative impact of stress including the risk of absence.
- Work has started to implement the finding of the research into the impact of remote working on wellbeing with an action plan in place. Activity includes a communications plan in place to promote ways in which staff can be effective when working flexibly including IT tips, managing their time and focussing on their wellbeing to aid productivity.
- New resources have been developed to support staff in a range of topics including menopause, dementia and caring responsibilities.

7 IMPACT ON CHILDREN AND YOUNG PEOPLE

- 7.1 All the actions taken are ensuring that children and families continue to receive a timely and quality service. This is being evidenced through the sustaining of performance against key performance indicators .

8 FINANCIAL ANALYSIS

- 8.1 The organisation has received a budget settlement to sustain frontline staffing levels.

9 RISK ANALYSIS

- 9.1 The significant risk of not being able to allocate work remains if the new demands for service continue to rise. A risk to the ability to manage caseloads to expected quality standards must be recognised which will become more acute as demand continues to increase and/or recruitment/staff retention becomes more difficult.

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<u>Acronym</u>	<u>Definition</u>
ALB	Arms Length Body
AWDL	Average Working Days Lost
CIT	Central Intake Team
CMT	Corporate Management Team
CV	Curriculum Vitae
DFJ	District Family Judge
ECMS	E-Case Management System
EIT	Early Intervention Team
FCA	Family Court Adviser
FTE	Full-Time Equivalent
H&W	Health & Wellbeing

HMCTS	HM Courts & Tribunals Service
KPI	Key Performance Indicator
IT	Information Technology
L&D	Learning & Development
LAs	Local Authorities
LFJB	Local Family Justice Board
LinkedIn	Worldwide professional network
MIS	Management Information Systems
MoJ	Ministry of Justice
OMT	Operational Management Team
PLR	Performance & Learning Review
PNC	Police National Computer
S31	Section 31
S7	Section 7 Report
SAM	Service Area Management Management Team
SEC	Self-employed contractor (now Cafcass Associates)