

Cafcass Learning and Improvement Board –Terms of Reference

FOR PUBLICATION

Purpose

To oversee an improvement programme for Cafcass in relation to Cafcass' work with children and families who have experienced domestic abuse. The priorities for improvement will include those identified by the Ministry of Justice Expert Panel on [Harm in the Family Courts \(2020\)](#) and findings of an internal Learning Review, which will be overseen by members of the Learning and Improvement Board.

Objectives

- To **oversee and energise improvements in Cafcass social work practice** in relation to domestic abuse, drawing on expertise from partners across the family justice system, international examples of good practice and learning from children and parents with experience of our service.
- To **identify and agree a range of improvement priorities** for Cafcass in relation to domestic abuse, agreeing **milestones and monitoring progress**.
- To support the **improvement of recorded evidence such that it shows clarity of reasoning and helps families and children to understand our analysis and recommendations** to the family court.
- To **build professional confidence among families and representative organisations in the quality of Cafcass' work** with children and families who have experienced domestic abuse.

Timeline

It is proposed that the Learning and Improvement Board meets quarterly starting in September 2020 and is expected to meet for 18 months. The Learning Review (see Annex) will commence in October 2020 and report back by the second meeting of the Board in January 2021, to inform a Learning and Improvement Plan for Cafcass' work with children and families who have experienced domestic abuse. Once the Learning and Improvement Plan is established there will be regular reporting to the Board against key milestones across 2021 and 2022.

Ways of working

Members of the Learning and Improvement Board with lived experience will be consulted to ensure that their views have been appropriately included in the Learning and Improvement Plan. The Learning and Improvement Board will oversee the delivery of the Plan and agree key milestones. The Learning and Improvement Board will be accountable to the Cafcass Board and will provide regular reporting.

Members of the Learning and Improvement Board agree that there is a need to maintain confidentiality of information shared during the meetings of the Board. Board members will participate in a constructive and respectful manner, recognising the different expertise offered by each member of the Board and that the range of views will provide an opportunity to investigate and learn. Members of the Board will receive draft reports and proposals for comment and discussion before any report is published.

Information disclosed in Board deliberations will not be disclosed to the media, including through social media, unless this has been discussed and approved in advance. Any

enquiries from the media should be directed to the Cafcass Communications team (CafcassComms@cafcass.gov.uk).

Membership

The Board will be co-chaired by Cathy Ashley (Chief Executive of Family Rights Group) and Angela Frazer-Wicks (trustee of Family Rights Group and a founding member of its Parents' Panel). Membership of the Learning and Improvement Board includes:

- Association of Directors of Children's Services - Mandy Williams (Head of Children's Social Care at Central Lancashire)
- Association of Lawyers for Children - Somia Siddiq (Lawyer)
- Cafcass Board members - Helen Jones JP and Joanna Nicolas
- District Judge Katherine Suh
- Office of the Domestic Abuse Commissioner – Nicole Jacobs (Domestic Abuse Commissioner) and Emily Hindle (Senior Policy Advisor) (became a member in June 2021)
- Families Need Fathers - Michael Lewkowicz (Director of Communications & Business Manager) and David Curl (CEO of Two Wishes)
- 2 x members of Family Justice Young People's Board
- Magistrate - Osman Sarioglu JP
- MATCH Mothers - Rosalind Barton (Secretary) (became a member in November 2020)
- Nagalro – Fiona Wallace (became a member in November 2020)
- Nuffield Family Justice Observatory - Lisa Harker (Director)
- Researcher - June Thoburn
- SafeLives – Jo Silver (Director of Practice)
- Southall Black Sisters - Pragna Patel (Director)
- Women's Aid - Jenny Birchall (Senior Policy and Research Officer)
- Parents with lived experience of the family justice system

With Cafcass representation and support to include the Chief Executive, Director for Operational Service Delivery, Director of Strategy, Principal Social Worker, Assistant Director (Policy), Head of Practice (National Improvement Service), 2 x Family Court Advisers, a Head of Practice, a Service Manager and a Senior Improvement Manager.

ANNEX – Outline approach for the Learning Review

Methodology

The Learning Review will be conducted by Cafcass members of staff and supported by volunteer members of the Learning and Improvement Board. It will encompass:

- A new baseline audit of a random sample of Cafcass cases against key lines of enquiry related to Cafcass domestic abuse practice. Volunteer members of the Learning and Improvement Board will moderate the findings with Professor Eileen Munro advising (as Cafcass board member) and Cafcass' Principal Social Worker.¹
- Separate focused improvement group discussions with Cafcass Family Court Advisers, representatives from the Family Justice Young People's Board, representatives from Families Need Fathers and representatives from Women's Aid, SafeLives, Southall Black Sisters and MATCH Mothers.

Lines of enquiry

It is proposed that the Learning Review be based initially on key lines of enquiry drawn from the findings of the Ministry of Justice Expert Panel on [Harm in the Family Courts \(2020\)](#). Additional lines of enquiry may emerge as the Learning Review progresses and these will be shared and agreed with the Learning and Improvement Board. The Learning Review will seek to explore:

- The Cafcass threshold for recommending contact/relationship with an adult parent/carer where domestic abuse is alleged or found
- The quality of initial screening interviews with parents and whether these enable survivors to disclose domestic abuse
- The quality of Cafcass social work analysis and assessments in submissions to the family court, particularly where there is conflicting evidence from parents
- Cafcass' use of evidence from other specialists working with families experiencing domestic abuse
- The interface between public and private law for domestic abuse and Cafcass' threshold for referring to a local authority where there is concern that a child is at risk of or has been harmed
- A review of the use of private law services commissioned via Cafcass and their effectiveness
- The quality of Cafcass training/guidance and quality assurance of its work
- Congruence rates between Cafcass recommendations and final orders
- Cafcass' approach to responding to judges where they depart from recommendations/child's wishes and which in Cafcass' view is not in the child's best interest or safe enough.

Learning and Improvement Plan

The findings of the Learning Review will be reported back at the Learning and Improvement Board meeting in January 2021 and will inform a Learning and Improvement Plan for Cafcass' work with children and families who have experienced domestic abuse.

¹ No case file information will be shared with external colleagues. Cafcass will adhere to all principles of Data Protection and safe handling of personal information. The sample will encompass a proportionate number of families from Black, Asian and minority ethnic backgrounds to capture the experiences of children and families from diverse backgrounds.