



**Performance and Quality Committee Meeting minutes
Monday, 8 March 2021, 11:00 – 13:00
Microsoft Teams Meeting**

Present

Paul Grant – Chair
Deep Sagar, Board member
Eileen Munro, Board member
Joanna Nicolas, Board member
Sophie Humphreys, Board member (arrived at 11:30)

In attendance

Jacky Tiotto, Chief Executive Officer
Kevin Gibbs, Operational Service Director (South)
Jack Cordery, Interim Operational Service Director (North)
Teresa Williams, Director of Strategy
Sarah Parsons, Assistant Director and Principal Social Worker
Ben Rolfe, Head of Business Analysis
James Jackson-Ellis, Corporate Officer (Secretariat Services)
Adam Lennon, HMCTS representative
David Winks, MOJ representative

Guests

Rachel Holmes, Assistant Director – item 7
Rebecca Anderson, Model Office Programme Manager – item 7

Apologies

Nicola Blakebrough, Corporate Manager (Secretariat Services)
Anji Owens, Operational Service Director (North)

1. Welcome and apologies

The Chair welcomed everyone to the Performance and Quality Committee (the Committee) and introduced himself as the new Chair of the Committee, following the resignation of Caroline Corby from the Board.

2. Declarations of interest

No new declarations of interest were declared.

3. Minutes, actions, and matters arising

The minutes of the previous meeting held on 14 December 2020 were agreed as an accurate record, subject to the following amendments, 1) action 2 would be expanded further to include Joanna Nicolas recommending the name of a specialist advisor who could provide expertise in the transgender case/judgement and 2) page 2, the spelling typo would be amended. The Committee noted that most actions were ongoing, with several items returning to this meeting or future meetings.

Action 1: The minutes of the previous meeting would be updated to reflect the requested amendments.

3.1. COVID-19 impact and response

The Chief Executive noted that a Board Briefing had been held on Friday, 5 March, which had provided the Board with a thorough update on the impact and response to COVID-19.

The Chief Executive reported to the Committee that following a virtual leadership live event on 2 March dedicated to discussing seeing children, the Corporate Management Team had detected a heightened sense of anxiety from frontline staff, particularly given pending changes in the engaging with and meeting children policy combined with the impact of schools opening on 8 March. The Chief Executive highlighted that 700 staff had joined the live event, and the comments had been from a small majority, however frontline staff had concerns about the expectation of seeing every child while caseloads remained at their highest alongside many staff still waiting to be vaccinated.

The Committee commented that it would be useful to further understand the concerns. The Operational Service Director (South) confirmed there would be a continued dialogue with staff through the leadership live events to understand and respond to concerns. A virtual leadership live event with managers was planned to take place that afternoon with a further live event with all staff on Thursday.

4. Engaging with and meeting children update

The Chief Executive noted the previous discussion led well into the engaging with and meeting children update. The Chief Executive reported that in March 2020, when the UK went into national lockdown, Cafcass developed guidance on working with children through COVID-19 and develop a default position of seeing children remotely. This was followed by a return to seeing children in person where it was safe to do so, and then guidance was updated in January in response to the third national lockdown when it became clear that a new variant was causing a higher rate of transmission. The updated guidance reflected a remote position for seeing children and by exception only for face-to-face visits.

Following the publication of the Government's roadmap out of national lockdown and a reduction in the R rate and number of COVID cases, the Programme Board had agreed a change in the policy. A new policy had been developed for engaging and meeting with children and this together with guidance would be published following a leadership live event on 11 March with implementation from 1 April, providing adequate time for frontline staff to adjust and plan their time to visit children.

The Committee queried if it was possible for frontline staff to say that because of their high caseload it was challenging to see all children. The Chief Executive confirmed it would not be possible to see all children in person, however, it is imperative that a rationale for seeing/not seeing a child be included on the child's case record.

5. Transgender Judgement (Bell v Tavistock) and Implications for Cafcass update

The Director of Strategy updated the Committee on the transgender judgement and confirmed that since the December Committee meeting, the judgement had been appealed and Cafcass was waiting for a decision to consider the practice implications.

The Director of Strategy highlighted that Cafcass had received an open letter from the Evidence-based Social Work Alliance enquiring about Cafcass' current policies and practices regarding gender identity. The Director of Strategy confirmed that Cafcass' response to the open letter was available on Convene.

6. Assessment of Ethnicity Recording

The Director of Strategy reported that the initial technical work to enable the modelling of the diversity characteristics of the children Cafcass works with was now complete and summarised to the Committee what was known about the heritage of children. Work to enable the comparison of children against Census data was nearing completion and would provide a preliminary look at how the heritage of children Cafcass works with compares to local and national populations.

The Assistant Director and Principal Social Worker highlighted that the new Engaging with and Meeting Children Policy included the requirement to find out and record the child's diversity characteristics at the start of the cases and for this to be reviewed at the 15 day point via the management review of the case plan.

The Director of Strategy explained that further time was required to complete the remaining work on heritage analysis. Several technical and operational considerations meant that work had not progressed as planned. The initial aspiration of having a detailed data model linking a range of Cafcass and non-Cafcass heritage data was progressing and was expected to be completed during Q1 2021/22. A further set of findings would be presented at the June 2021 meeting.

Action 2: A report on the remaining work on heritage analysis would be presented to the June Committee meeting.

7. Demand Reduction Programme update

The Assistant Director highlighted to the Committee that Cafcass' Backlog Handling and Demand Reduction Strategy had been joined as a single programme of work that would help Cafcass manage and reduce unsustainable workloads. The objectives of the programme focused on 1) FCA caseloads; 2) timeliness of proceedings for children and families; 3) review of work within practice roles and 4) recruitment, resourcing, and retention.

The Model Office Programme Manager provided an overview of the projects within the Demand Reduction Programme and confirmed that the COVID-19 Programme Board would be the main governance board for the programme and would be provided with a monthly update and more detailed “spotlight” reports on three key projects.

The Committee noted that triggering the Prioritisation Protocol was said to have a low impact in the programme overview document and queried why it was low. The Model Office Programme Manager confirmed that triggering the Prioritisation Protocol was a high-risk strategy, however the impact on managing and reducing workloads had been low because it had only been triggered in one area so far.

The Chief Executive expressed that Cafcass was driving forward and generating solutions to the problems faced by the family justice system and was pleased that Cafcass remained focused on solutions to those problems. The Committee thanked the Assistant Director and Model Office Programme Manager for their work on the Demand Reduction Programme.

8. Performance Scorecard

The Head of Business Analysis presented the Performance Scorecard and highlighted that Cafcass had received 52,069 new total cases between April 2020 and January 2021 featuring 80,428 children. This represented a -2.6% (-1,398) decrease in total cases and a decrease of -3.3% (-2,707) in children, compared to the same period in 2019/20.

Demand levels were lower than expected following the January 2021 lockdown. Public law was -25.5% and private law -10.2% in January 2021 (compared to January 2020). However, demand had recovered in February.

The number of open children’s cases with known future work remained at record levels because of delays and backlogs caused by the pandemic and has contributed to record high FCA caseloads. As at 1 February there were 36,537 open active children’s cases with known future work for Cafcass, this is +19.8% (+6,046) more cases than 1 February 2020.

Board member Joanna Nicolas highlighted that she had attended an area team meeting in February and noted that Cafcass did not capture compliments from other agencies. The Assistant Director and Principal Social Worker confirmed it was a Strategic Plan Delivery Priority to develop a framework for collecting agency feedback.

The HMCTS representative queried if the duration for a section 7 to be completed once the court had requested it was known. The Director of Strategy confirmed that it was taking longer to complete section 7 reports and on average taking 13 weeks compared to 9 weeks previously. Cafcass submitted 80% of all section 7 reports and the filing was lower than usual.

The Committee noted the sustained and continued increase in demand and open active casework and suggested that it would be useful for Cafcass to consider and forecast how much worse demand and open work would get before things stabilise.

9. Learning

9.1. Learning from Serious Incidents – Quarterly Review

The Assistant Director and Principal Social Worker presented to the Committee an updated format of the Learning from Serious Incidents bulletin (the Bulletin). The Bulletin set out key learning and areas for practice improvement collated from the review of the child's record on receipt of a serious incident notification.

The Assistant Director and Principal Social Worker highlighted the Bulletin included initial learning from the Child F serious incident notification and confirmed that it was important to cascade the learning to the organisation. A longer document capturing further learning would be shared with the local team.

Board member Joanna Nicolas noted that two of the serious incidents related to domestic abuse and that domestic abuse was absent from the mandatory training in the Learning and Improvement Report. The Assistant Director and Principal Social Worker confirmed that Cafcass' new domestic abuse training programme would be rolled out in March.

Board member Joanna Nicolas also noted that serious incident notification 5 highlighted the absence of the allocated children's guardian for an extended period. Learning identified that in the absence of the allocated guardian, local arrangements were to be made to review work to consider when re-allocation should be triggered. The Operational Service Director (South) and Interim Operational Service Director (North) agreed to review the organisational policy in terms of casework and any monetary implications when a guardian was absent long term because of either sickness or maternity/paternity leave.

Board member Eileen Munro suggested that within the Bulletin, or as a separate bulletin, Cafcass should highlight and share learning on outstanding cases.

Board member Sophie Humphreys suggested it would be useful to understand how much was known about previous learning and the impact of bulletin actions, with the ambition to determine what had changed in practice.

Action 3: The Operational Service Director (South) and Interim Operational Service Director (North) to review the organisational policy in terms of any case monitoring/oversight implications when a guardian was absent long term because of either sickness or maternity/paternity leave.

Action 4: The Assistant Director and Principal Social Worker to consider how to highlight and share learning from outstanding cases where Cafcass did something well in practice.

Action 5: The Assistant Director and Principal Social Worker to understand how much was known about previous learning and the impact of bulletin actions, with the ambition to determine what had changed in practice.

9.2. Learning and Development Annual Report

The Committee **NOTED** the Learning and Development Annual Report.

9.3. Audits – Case Quality Audit

The Committee **NOTED** the Case Quality Audit.

10. Ofsted Self-Evaluation/National Improvement Plan

The Chief Executive presented Cafcass' National Improvement Plan and highlighted that the content of the plan set out how Cafcass would achieve 'stretch' in practice and that the plan was based on Cafcass' self-evaluation to Ofsted.

The practice, management and leadership improvement priorities were set out in the plan and would apply to all service areas. Each region would also have additional improvements that apply to their individual geographical or workforce context. Regional priorities would be established through the Regional Performance Board programme.

Implementing the improvement priorities would be achieved through actions established by Assistant Directors and recorded in the plan with Assistant Directors using a range of methods to secure improvement. One of these methods was for area management teams to focus their feedback in Case File Audits on the areas of practice improvement identified in the plan.

The Assistant Director and Principal Social Worker explained the process of oversight of the national improvement plan and confirmed that the monitoring of progress would be carried out by 3 improvement checks per year. The first through the Performance Board and then improvement checks comprising half day meetings, attended by the Assistant Director and Heads of Practice, the relevant Operations Director and the Principal Social Worker, or NIS Head of Practice.

The two additional improvement checks would be informed by an NIS report based on the most recent National Case Quality Audit information, a report by the Assistant Director on the impact of their leadership and evidence from local Case File Audits on the progress against regional improvement priorities.

The Committee queried how it would assess and scrutinise regional improvement plans. The Chief Executive proposed the Committee receive the plan twice a year with the first opportunity being the September 2021 meeting.

Board member Joanna Nicolas proposed a series of amendments to help strengthen the national improvement plan and agreed to email the Assistant Director and Principal Social Worker.

Action 6: The National Improvement Plan would be added to the forward plan for the September 2021 meeting, the first of bi-annual updates, providing an opportunity for the Committee to assess and scrutinise the improvement plans.

Action 7: Board member Joanna Nicolas to provide the Assistant Director and Principal Social Worker with the proposed amendments to the National Improvement Plan.

11. Any other Business and Forward Planner

The Committee **NOTED** the Forward Planner. The Assistant Director and Principal Social Worker requested the Committee add the Performance Learning Review Programme and Supervision Review Report, which would be led by the Interim Operational Service Director (North), to the Forward Planner.

The Chair thanked Board member Deep Sager for his contributions to the Committee as this was his last meeting before leaving the Board at the end of March.

Action 8: A report on the Performance Learning Review Programme and Supervision Review would be added to the forward planner.

No other business was raised.

ACTION SUMMARY

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Action 2: A report on the remaining work on heritage analysis would be presented to the June Committee meeting.

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