



Performance and Quality Committee Meeting minutes
Monday, 20 September 2021, 11:00 – 13:00
Microsoft Teams Meeting

Present

Paul Grant, Cafcass Board member (Chair)
Sophie Humphreys, Cafcass Board member
Joanna Nicolas, Cafcass Board member

In attendance

Jacky Tiotto, Chief Executive Officer (until midday)
Jack Cordery, National Director of Operations
Marie Gittins, Deputy National Director of Operations
Teresa Williams, Director of Strategy (until midday)
Nicola Blakebrough, Corporate Manager (Secretariat Services)
James Jackson-Ellis, Corporate Officer (Secretariat Services)

Guests

Rachel Anderton, Assistant Director (A3) – item 10
Rachel Holmes, Assistant Director (A12) – item 10
Ben Rolfe, Head of Business Analysis – item 6.3
Barry Tilzey, Head of Practice (NIS) – item 7

Apologies

Sarah Parsons, Principal Social Worker and Deputy Director for Improvement
Adam Lennon, HMCTS representative
Eileen Munro, Cafcass Board member

1. Welcome and apologies

The Chair welcomed everyone to the Performance and Quality Committee (the Committee). Apologies were received from Sarah Parsons, Adam Lennon and Eileen Munro.

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 7 June 2021 were agreed as an accurate record. The Chair reviewed the action log and noted that the majority of actions were complete, with several items returning to this meeting or December 2021.

Board member Joanna Nicolas clarified action 29 on the action log. The intent of this action was that the Assistant Director and Principal Social Worker would clarify with Board member Joanna Nicolas what was meant by “features in repeated safeguarding” under engaging fathers and curiosity in the Serious Incident Bulletin. It was confirmed that the features in repeated safeguarding referred to father’s being absent from assessment and the lack of curiosity about the meaning of this.

4. Approve updated Terms of Reference

The Chair highlighted that the Terms of Reference had been updated to reflect the creation of the People Committee. This Committee would consider the delivery of the Equality, Diversity and Inclusion Strategy where matters relate to the performance of services and quality of casework. The Committee will be guided by the Equality, Diversity and Inclusion Steering Group on matters that require the Committee’s attention. The Committee **APPROVED** the updated Terms of Reference.

Action 1: [The Terms of Reference will be updated on the Cafcass website](#)

5. Heritage analysis update

The Director of Strategy highlighted to the Committee that a new heritage analysis reporting tool had been developed in Power BI, which enabled new analyses for all children and adults worked with in 2020/21 and compared these with national census data for the whole population in England. Recording of heritage information had improved in the last financial year, and as reported in the Annual Report and Accounts, 93.8% of children worked with in 2020/21 had a recorded record compared to circa 80% in the previous year.

The new reporting tool extended the basic information provided in the Annual Report and Accounts by considering whether disparities exist for children of different heritages in the duration and outcomes of their proceedings (public law) and ordering of section 7 and rule 16.4 appointments (private law). The Committee was provided with a summary of the key differences and the Director of Strategy noted some disparities had been identified which required further investigation.

Board member Joanna Nicolas queried what Cafcass planned to do with the data and if it was going to be shared with other organisations. The Director of Strategy confirmed the data would be kept within Cafcass initially and the next step was to release the reporting tool to Assistant Directors and their local managers so that they could review the data for their local areas and use it to improve recording and analysis. The report would also be presented to the Operational Management Team to discuss and agree how and when to add lines of enquiry to the Spotlight Report.

The Chair queried if there was an organisational target for recording the heritage of children Cafcass works with, as it currently varied between 74% - 94% across each service area. The Chief Executive Officer confirmed that the target was 100% for each service area. The Committee thanked the Director of Strategy for the update and looked forward to a further update when appropriate.

6. Performance

6.1. National Improvement Plan, National Case Quality Audit and update regarding how Cafcass evidences learning from Serious Incident Notifications, complaints, audits and feedback

The National Director of Operations reported on progress in implementing the National Improvement Plan, through an audit of 120 public and private law records in July to check the quality and impact of practice on children, and whether this was good and if work with children was getting better, worse or staying the same.

The audit highlighted that work was good or outstanding for 70.83% of children, which was the best result since 2017. 29.17% was judged to be less than good, although there were many good features in work rated 'met'. Three files (2.5%) were graded, requires improvement. Action has been taken to review the welfare of these children.

The Chair commented that it was good to see frontline social work staff maintaining the quality of work despite the demand pressures but queried what was being done to address the 29.17% rated less than good. The National Director of Operations confirmed work was ongoing to identify and support those individuals, teams and service areas with a disproportionate level of practice rated less than good.

The Chief Executive Officer explained that auditing was just one way to understand the quality of case work and how a greater focus was being brought to bear on reflective supervision and learning as part of the Performance & Accountability Framework. The Chief Executive Officer highlighted that complaints had also increased and Cafcass was focussing on prioritising how to increase the capacity for management oversight, as this was a vulnerability for the organisation due to the impact of demand pressures on service managers and practice supervisors.

Board member Joanna Nicolas commented that there was no mention of any child safeguarding practice reviews or domestic abuse, and as domestic abuse was an increasingly common feature of cases, this had to be one of the most important things to get right.

The Chair requested that the programme to improve the quality of work for staff who are judged to have work less than good or requires improvement be shared with the Committee at a future meeting.

Action 2: The programme to improve the quality of work for staff who are judged to have work less than good or requires improvement to be shared with the Committee at a future meeting

6.2. Operational Spotlight Report

The National Director of Operations explained that the report continued to provide data and analysis, relevant to the current set of identified practice and performance areas, that require particular attention by the Operational Management Team. Based on this, Assistant

Directors and Heads of Practice work with their Service Managers to undertake inquiries into those spotlight items that are agreed as falling short of our standards and to take action to make improvements. The focus of the spotlight report continued to be on seeing and engaging with children, diversity, having child plans in place and reviewing them.

The National Director of Operations highlighted that In July child engagement recording showed that 31,858 children (96.6%), had a record of their engagement with their FCA (being seen remotely or in person). However, 1,135 children had no record of engagement. Although the inquiries continued to identify a significant proportion of these exceptions were about a failure to record, a dip sample had identified that in around 30% of these exceptions a rationale for the child not being seen could either not be found or was not acceptable. These had been taken up with the service manager and FCA, with a programme of further action planned to maintain a relentless focus on this aspect of practice.

Board member Sophie Humphreys suggested Cafcass consider an alternative way of recording directly onto the case management system, such as voice recording. Board member Sophie Humphreys queried that if a child made a choice not to have contact, what methods could Cafcass explore in order to engage with the child. The National Director of Operations confirmed that one of the outcomes of the dip sample was to question whether FCAs had made sufficient efforts to motivate the child who had refused to engage, perhaps using alternative methods.

The Chair queried how contact between the Family Court Advisor and the child was being maintained, given the increasing staff absence levels. The National Director of Operations confirmed that the rising levels of sickness absence was increasing the number of children's cases that had to be re-allocated. This re-allocation would often fall to a Service Manager or Practice Supervisor in the first instance to protect the caseloads levels of other Family Court Advisors in the area, but this too was undermining the capacity for management oversight and supervision.

6.3. Performance Scorecard

The Head of Business Analysis presented to the Committee the Performance Scorecard and highlighted as of 31 August Cafcass had 36,461 open active cases involving 58,000 children which represented 6,174 additional active cases involving 10,000 children compared to March 2020. Since the start of pandemic, the number of new cases opened by Cafcass had significantly exceeded the number of cases closed. While throughput has improved in recent months and was keeping pace with new demand, action was needed at a whole system level to restore overall throughput to pre-pandemic levels.

As of August 2021, 32% of Family Court Advisors were carrying 'above threshold' caseloads and the active caseloads of long-term teams are at an average of 86.7% saturation based on a limit of 25 active cases. This average belies pressures in those service areas with +90% saturation. The Early Intervention Team Family Court Advisors had record levels of caseloads exceeding on average 51 active cases compared to 48.5 for August 2020. Duty allocated work in Service Area teams had continued to increase to 1,600 cases involving 2,700 children with 1,300 cases allocated to Service Managers and 250 to Practice Supervisors. Practice Supervisors are carrying an average of 14 active cases. This is down

slightly from a year ago but, again, belies the pressures in some areas, especially where Practice Supervisors had been promoted and had to take their cases into their new role.

The duration of private law work after first hearing closed in Q1 2021/22 (April – June) averaged 53 weeks, an increase of 2 weeks from the previous quarter and an increase of 12 weeks from Q1 2020/21. The duration of section 31 care and supervision applications closed in the same period averaged 44 weeks, an increase of 8 weeks from Q1 2020/21. Year to date, Cafcass had received 598 new complaints, an increase of 49.9% and 545 compliments, an increase of 40.1% compared to the same period last year.

Board member Joanna Nicolas queried why Cafcass was carrying out less auditing. The National Director of Operations confirmed that the number of audits required in a quarter had reduced from 2 to 1 in a rolling 3-month period in order to enable a collaborative approach between the Family Court Advisor and Practice Supervisor, including seeking feedback from children and families. The National Improvement Service was spending more time on audits for the regular Performance Boards for each Service Area, as part of the Performance and Accountability Framework, including 30% collaborative audits.

7. Learning

7.1. Learning from Serious Incidents – Quarterly Review

The Head of Practice (NIS) presented to the Committee the Learning from Serious Incidents and highlighted no significant learning had been identified in the report quarter.

Board member Joanna Nicolas queried why Cafcass would advise partners to apply to court if they wanted information from Cafcass in relation to inquests and domestic homicides. Joanna asked if it could be explained under what circumstances Cafcass would contribute to inquests and domestic homicide reviews without advising partners to apply to court for Cafcass information. Is it different for these statutory processes than it is for child safeguarding practice reviews? It was agreed that a note covering this would be emailed to the Committee.

Board member Joanna Nicolas also commented that there was no learning from child safeguarding practice reviews or domestic abuse, and this remained a concern.

Action 3: The Committee will be provided with a note before the next meeting explaining under what circumstances Cafcass contributes to inquests and domestic homicide reviews, and whether that differs from Cafcass's contribution to child safeguarding practice reviews.

8. Management Oversight and Supervision

The National Director of Operations provided an update to the Committee on the review of Management Oversight and Supervision undertaken between April and July, with over 250 colleagues individually and in groups.

Feedback had provided insight that there were both strengths and risks to current arrangements as well as challenges to the capacity to undertake management oversight and supervision as a result of the impact of the demand pressures on Service Managers holding duty cases and Practice Supervisors holding both duty and allocated cases.

Proposed changes to the approach arising from the review were shared with the Committee and the National Director of Operations confirmed final recommendations to change the policy would be presented to the Committee, following approval by Corporate Management and Operational Management Teams in October.

9. Demand and Prioritisation

The National Director of Operations reported to the Committee that service areas A12 (Birmingham, the Black Country, Shropshire, Worcestershire, Staffordshire and Herefordshire) and A3 (Greater Manchester) had already entered prioritisation and activated allocation hubs as a response to continuing high demand in private law, persistently high caseloads and the level of duty allocations due to difficulties in allocating private law cases. The advantage of moving unallocated cases into the Hub is that it frees-up service managers and enhances oversight of cases, so there is additional reassurance that risk is managed for this group of cases.

The National Director of Operations also reported that following a checkpoint challenge meeting recently with the Assistant Director for A13 (Coventry and Northampton), the COVID-19 Programme Board had agreed that A13 also enters prioritisation.

10. Practice Presentation

The Assistant Directors presented to the Committee a Practice Presentation on the experience of prioritisation with regard to impact on caseloads, children and families and local partnerships.

The Assistant Director for A3 explained to the Committee that in terms of what had been working well, a lot had been learned and there were weekly meetings with the courts and the judiciary were helping to discuss issues and find mutually agreeable solutions. Whilst local authority partners had expressed concern, discussions had not only provided reassurances but fostered better relationships, and mutual support. There had also been an acceptance by the local judiciary that prioritisation was required in order to ensure clarity and a greater degree of certainty in timescales. Challenges remained and there are rubbing points in operationalising the protocol. Frontline staff and managers continued to experience caseload pressures, although it was still early in the process. Although filing times had extended to 20 weeks in many cases, this was in the context of longer durations due to wider system challenges.

The Assistant Director for A12 explained to the Committee that the impact on children and families awaiting a service from Cafcass was dynamic. Allocations continued and Family Court Advisors were being identified to work with children and families in the coming months. Timescales were being set for filing section 7 reports and this created a greater level of certainty for children and families, and courts. There were no recorded complaints from

children and families whose cases were held in the allocation hub. This was seen to be the result of greater communication, but this needed further review. There had been a reduction in the percentage of Family Court Advisors working with above 25 children and families from 41.4% to 35% and a reduction in the number of duty cases held by service managers. Regular communication with local partners was strengthening relationships and collective understanding of the challenges and pressures in the family justice system, and how to work jointly to reduce those pressures including the backlog, durations, and demand for addendum reports.

The Committee thanked the Assistant Director and noted that hearing from staff directly about the process and impact of prioritisation made it much easier to understand for Committee members.

11. Any other Business and Forward Planner

No other business was raised.

12. Reports included for information

12.1. Early Intervention Team Audit Report

The Committee **NOTED** the report.

ACTION SUMMARY

- Action 1: The Terms of Reference will be updated on the Cafcass website
- Action 2: The programme to improve the quality of work for staff who are judged to have work less than good or requires improvement to be shared with the Committee at a future meeting.
- Action 3: The Committee will be provided with a note before the next meeting explaining under what circumstances Cafcass contributes to inquests and domestic homicide reviews, and whether that differs from Cafcass's contribution to child safeguarding practice reviews.