



**Draft**

**Cafcass Performance Committee Minutes  
Monday 12 September 2016  
21 Bloomsbury Street, The Mandela room**

**Present**

John Lakin, Chair of Performance Committee  
Claire Tyler, Cafcass Board Member  
Nickie Aiken, Cafcass Board Member  
Paul Grant, Cafcass Board Member  
Stuart Smith, Cafcass Board Member (via Video Conference)

**In attendance**

Anthony Douglas, Cafcass Chief Executive  
Christine Banim, Cafcass National Service Director (via Video Conference)  
Anji Owens, Cafcass Assistant Director (via Video Conference)  
Helen Watson, Cafcass Director of Strategy  
Nicola Blakebrough, Cafcass Board Secretariat  
Elizabeth Morrison, Cafcass Board and Corporate Support Assistant (Minute-taker)  
Ross Sanger, Ministry of Justice Representative

**Apologies**

Dr Elizabeth Gibby, Deputy Director, A2 Strategy and Specialist Policy, Ministry of Justice.

**MINUTES**

**1. Welcome and Apologies**

The Chair welcomed everyone to the meeting, particularly Ross Sanger, Ministry of Justice (MoJ) representative. Introductions were made. Apologies were received from Dr Elizabeth Gibby, Deputy Director, Access to Justice Strategy and Specialist Policy, Ministry of Justice.

**2. Draft Minutes of the joint Performance and Quality Committee 3 May 2016**

The Committee requested an update on the following items from the 3 May meeting:

**Evaluation of the Psychology Pilot:** The psychology service was rolled out nationally in June 2016 and is now a permanent national service. The Chair of the Board noted the importance of the service promoting a child focus in case work and the National Service Director clarified how the service operates.

**Complaints Update:** Work has been completed to investigate the disproportionate number of complaints in A11 and A15B and findings were reported back to OMT. The National Service Director noted that the size of the service area and the high volume of cases attributed to the high level of complaints for A15B. Work has been conducted to investigate where Family Court Advisers (FCAs) had received three or more complaints and no causes for concern have been raised, but this will be kept under review over the next six months.

Following these updates, the minutes of the joint Performance and Quality Committee meeting on 3 May 2016 were agreed as an accurate record.

### **3. Action Log/ Forward Planner/ Matters Arising**

The Committee reviewed the Action log.

The Committee discussed the action from the 25 January 2016 Performance Committee that '*MOJ colleagues agreed to investigate the current work being carried out by the MOJ to address rising demand and report back to the Committee*'. This work is ongoing but as demand continues to rise a sense of urgency is needed regarding the impact on services. The Committee noted the rising risk in relation to sustaining services in this respect and that the organisation is coming to a point where it will become difficult to allocate work. System wide changes are now required. The Chief Executive noted that he had been raising these issues at the highest level in MoJ and has a meeting scheduled with the President to see if joint practice guidance could be issued and changes implemented through that route.

Ahead of the Board seminar on Child Outcomes, the Director of Strategy agreed to circulate her write up of the visit to Leeds City Council as part of the Deputy Chair's Board lead role on Child Outcomes.

All other actions were noted as being completed or on track. The Committee reviewed the Forward Planner. There were no further matters arising.

Action 1:       The Director of Strategy to circulate to the Committee her write up of the visit to Leeds City Council as part of the Board lead role on Child Outcomes.

### **4. Performance Report**

The Assistant Director presented the Performance Report and outlined the key themes of the paper, which includes the continued rise in public and private law applications and the record high demand in Public Law Care demand for the year to date (April to July 2016). Forecasts continue to predict increases in both public and private law demand for the rest of the 2016/17 financial year.

The Committee discussed the difference between the Cafcass and MOJ forecasts and the robustness of forecasting. It was agreed that the Assistant Director would conduct a piece of work to compare the forecasts and the variables affecting the forecasts.

Action 2:       The Assistant Director to conduct a piece of work to compare the MOJ and Cafcass forecasts and the variables affecting the forecasts.

### **5. Annual HR Sickness Absence Update**

The Director of Strategy presented the annual HR Sickness Absence report. Quarter 1 has seen a slight increase with the average days lost per person being 8.1 at present and the Year to Date figure for 2016/17 being 8.6 days. The rates are still very low for the sector and are mostly due to long term absences. Cafcass continues to build on the support offered for staff including developing resources to help staff affected by cancer, bereavement or caring responsibilities in line with the trend of these concerns increasing. The Chief Executive noted that work is being done around a diagnostic tool on mental health and would keep the Committee updated on this work. It was agreed that the Committee would be sent further information about the Time to Change pledge and the Mindful Employer Charter.

CMT have commissioned further information regarding the absence dataset to understand the tipping point for absence impacting on sustaining quality of services. Detail of this report will be fed back to the Committee.

Action 3: The Chief Executive to keep the Committee sighted on the development of the diagnostic tool on mental health.

Action 4: The Committee to be sent further information about the Time to Change pledge and the Mindful Employer Charter.

Action 5: CMT to report back to the Committee on the outcome of the work to review the absence dataset in respect of identifying the tipping point for absence impacting on sustaining quality of services.

## **6. Freedom of Information Annual Report**

The Chief Executive presented the Freedom of Information Annual Report which provides an overview of the nature and volume of Freedom of Information (FOI) requests received by Cafcass during 2015/16. Cafcass received 203 requests for organisational information under the Freedom of Information Act during 2015/16; this represents an increase of 10% from the previous year. This increase is to be expected given the greater publicity given to family court cases in the last 12 months and because of the ever greater expectations about transparency in public life.

In regards to queries relating to contact details for the Cafcass Board, assurance was given that Board members contact details are not disclosed and anyone wishing to contact Board members are directed to do so via the Members Office.

The Committee noted that resources requests increased significantly and queried what types of requests these were. The Chief Executive noted these were commercial enquiries but agreed to confirm this with the Head of Legal.

Action 6: The Chief Executive to report back to the Committee on the nature of the Freedom of Information resource requests.

## **7. Strategic Plan Dashboard**

The Director of Strategy presented the Strategic Plan Dashboard updated for Quarter 1. Good progress is being made against most of the strategic priorities but the 'Quality' and 'Family Justice Innovation' priorities have amber ratings. The Committee noted that the absorption of rising demand and maintaining improvements to quality are near the point of becoming truly conflicting priorities. The amber rating for 'Family Justice Innovation' recognises the wider changes in political leadership following the referendum on membership of the EU and the impact this has on reform within the Family Justice System.

## **8. Review of Strategic Risk Register**

The Chief Executive updated the Committee on the nature and level of risks within the Strategic Risk Register where the Performance Committee has lead assurance.

It was noted that several of the residual risk ratings were assessed as amber and the Committee discussed whether some risks were closer to having a red rating. The Chief

Executive noted that risks should remain amber until there is no ability to mitigate the risk and all three lines of defence are deemed insufficient.

The Committee discussed the effectiveness of the risk register. The internal auditors have given assurance on Cafcass' approach to scrutinising risk, particularly the three lines of defence.

## **9. Corporate Services Presentation – IT**

The Director of Resources and Head of IT joined the meeting to give a presentation on the IT department and services. The presentation outlined Cafcass' IT strategy, the current performance of IT services and the management function of the IT services.

The Committee discussed to what extent Cafcass' IT strategy is interlinked with the family justice system IT infrastructure. Discussions are ongoing around possible shared areas such as sharing workplace connectivity and sharing of Cafcass' electronic case management system with HMCTS.

The Committee acknowledged the recent disruption to IT services during transition and the impact that had on users. The Head of IT explained that by moving to cloud services we are increasing our overall resilience.

Cafcass' IT performance is based on proactive and reactive monitoring. Predictive monitoring will improve as new developments are introduced. The successful external accreditation of Cafcass' IT services by the National Computing Centre evidences the strong performance of the service.

The Director of Resources agreed to explore the right approach for Board members to provide customer satisfaction feedback on IT services.

Action 7: The Director of Resources to arrange for Board members to provide customer satisfaction feedback on IT services.

## **10. Any Other Business**

There was no further business.

DATE AND TIME OF THE NEXT MEETING: Monday 5 December 2016, 11.00 – 13.00

### Actions Summary

Action 1: The Director of Strategy to circulate to the Committee her write up of her visit to Leeds City Council as part of the Board lead role on Child Outcomes.

Action 2: The Assistant Director to conduct a piece of work to compare the MOJ and Cafcass forecasts and the variables affecting the forecasts.

Action 3: The Chief Executive to keep the Committee sighted on the development of the diagnostic tool on mental health.

Action 4: The Committee to be sent further information about the Time to Change pledge and the Mindful Employer Charter.

- Action 5 CMT to report back to the Committee on the outcome of the work to review the absence dataset in respect of identifying the tipping point for absence impacting on sustaining quality of services.
- Action 6: The Chief Executive to report back to the Committee on the nature of the Freedom of Information resource requests.
- Action 7: The Director of Resources to arrange for Board members to provide customer satisfaction feedback on IT services.