



CHILDREN AND FAMILY COURT ADVISORY AND SUPPORT SERVICE

Paper for the Board Meeting on 21 June 2013

Chief Executive's report

KEY POINTS

- The revised Public Law Outline (the procedure to be used by Family Courts determining the outcome of a care application by a local authority) is being piloted from 1 July. Cafcass is ready to discharge its role in those areas which have decided to become early adopters of the revised PLO from 1 July.
- Progress has been made on the proposed transfer of the sponsorship of Cafcass from the Department for Education to the Ministry of Justice. A Ministerial submission is likely in late June or early July. The outcome will determine whether we transfer on 1 April 2014 or at later date.
- Demand continues to increase at a high level and the impact of more litigants in person is being felt in local Cafcass teams, who are carrying out more work as a direct result (see Paper 9.3 on this Board agenda). Such is the volatility of demand at the moment, we are monitoring the trends on a weekly rather than on a monthly basis
- Corporate capacity is being increased between now and March 2014 in order to complete crucial strategic work and a list of portfolios for the 3 interim corporate managers is attached at Appendix 1. A list of demonstration projects under consideration is also attached at Appendix 2. These projects are being developed strategically to support further changes in the Cafcass practice model and operating framework in anticipation of higher demand and a lower revenue budget from April 2014 onwards.

1. Implementation of the revised Public Law Outline (PLO)

This remains the single largest strategic and operational programme in 2013/14. Local service areas are part of local family justice systems and some will start the revised PLO pilot on 1 July, others on 7 October, the last date permissible. Training materials are being disseminated from week beginning 17 June. A new case analysis template is being loaded into the Cafcass Electronic Case File (ECF). We are generally being seen as effective co-leaders of this crucial reform, both nationally and locally. A sea change in practice is likely, as the emphasis is put on producing a good level of case analysis by the new first hearing date, 12 days into the case. The pilot will last from July until December and will then be evaluated. Further Parliamentary scrutiny will take place in the Autumn, with the commencement of new legislation still likely from April 2014. This will in all likelihood introduce a new statutory time limit for how long care cases take to go through court. As the Performance Report (Paper 9.1) on this Board agenda shows, strong progress is being made to reduce average care case duration.

2. Transfer of Sponsorship to the Ministry of Justice

Transfer in April 2014 now looks most likely, subject to agreement by MOJ Ministers, to whom a submission will go later in June. Ministers are mostly looking to be satisfied about financing both in relation to the revenue budget going forward and any implications of the Cafcass pension liability on the MOJ balance sheet. Due diligence has tended to concentrate on support services but is now being widened out to operational services, with the emphasis on how to achieve business continuity and how to reduce any risks arising from the transfer, such as a negative impact on our ability to recruit and retain social work practitioners and managers. The due diligence work has been genuinely positive and collegiate, with problems being surfaced and solved. Arrangements are being made for members of the MOJ Transition team to meet the Board.

3. Heightened risk from demand volatility

Demand in public law is 8% up so far this year (April and May 2013 figures). Demand in private law is up by over 25% in the same two months. Whilst private law demand is likely to fall at some point over the next few months, there is no sign yet of that, so we need to be cautious in our projections of our future resource requirement.

4. New Ofsted inspection framework for Cafcass

Two workshops were held with Ofsted in late May and early June and there is now substantial agreement between Ofsted, Cafcass and DfE about this year's inspection framework for Cafcass. This is likely to be a 3-4 week inspection late in 2013 or early in 2014, with inspectors spending time in the National Office, the National Business Centre and in 6 local teams. I am satisfied that the evaluation criteria being used fully to reflect our statutory role and function and what should be expected of us as a national organisation. This will be the first inspection of us as a national organisation for 5 years, as for the last four years, we have had a rolling programme of all of our local service areas.

5. Portfolios for interim senior managers

With the departure of one senior manager and the reduction in hours of another, we have needed to boost our corporate capacity and this is being done for the rest of 2013/14 by the recruitment of 3 interim senior managers, one of them full-time and two of them part-time. Strategic capacity beyond April 2014 will be subject to further review in the coming months. The portfolios of the in-coming managers are attached to this report to give the Board a clear picture of the programmes these 3 managers will be delivering for us this year. All projects are in line with the 2013/15 Cafcass Strategic Plan and the 2013/14 Business Plan.

6. Other significant developments

- A Regional Crime Squad and the Metropolitan Police's High-tech Crime Unit are investigating an internet attack we (and some other organisations in our sector) faced in week beginning 3 June.
- The Board open meeting on 30 July will feature a round table on how we can most effectively support children with reduced time per case. There will also be a question and answer session for the public and stakeholders with the Board and myself.
- We have made good progress on further quality improvement in casework (May 2013 national audit). This was discussed at the Quality Committee on 6 June.
- Our 'Voice of the Child' conference is being held on 9 August, with our Young People's Board centrally involved in the planning and organisation.
- We have made strong progress with the Association of Directors of Children's Services (ADCS) on joint policy development, and a suite of guidance will be available on our respective websites from early July
- We are finalising a Service Level Agreement with the Falkland Islands Government to provide an independent social work service to their courts on behalf of the small number of children subject to care proceedings on the Islands. They approached us to provide this service within the parameters of the 2010 White Paper encouraging Government Departments and agencies to support the development and to strengthen the infrastructures of Britain's 14 overseas territories. Full cost recovery applies. We are also supporting a small number of local authorities and Cafcass Cymru as part of fulfilling our remit to provide as much sector-led support as we can without compromising our own resources or improvement work.
- Work is underway on the first update of the Cafcass Operating Framework. This work will be completed in August and will come to the Board at its September meeting.

Anthony Douglas

14 June 2013