



**Draft**

**Cafcass Performance Committee Minutes**

**Monday 6 March 2017, 11.00 – 13.00**

**21 Bloomsbury Street, Bentham Room and Charles Dickens Room**

**Present**

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

**In attendance**

Anthony Douglas, Cafcass Chief Executive  
Anji Owens, Cafcass Assistant Director (via Video Conference)  
Helen Watson, Cafcass Director of Strategy (via video conference)  
Grace Egbewole-Adereti, Cafcass Board and Corporate Support Assistant (minutes)  
Melanie Carew, Head of Legal Services

**Apologies**

Nickie Aiken, Cafcass Board Member  
Christine Banim, Cafcass National Service Director  
Nicola Blakebrough, Cafcass Board Secretariat  
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 and noted that there were no representatives from the Ministry of Justice present. The Committee expressed their concern and suggested liaising with the MoJ to highlight the importance of their attendance.

Apologies were received from Nickie Aiken, Christine Banim, Dr Elizabeth Gibby and Nicola Blakebrough.

Action 1: MoJ representatives to be encouraged to attend future meetings given the importance the Committee attaches to their attendance

**2. Draft Minutes of the Performance Committee on 5 December 2016**

The minutes of the Performance Committee meeting on 5 December 2016 were agreed by the Committee as an accurate record.

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

The Committee reviewed the Action log. The Committee discussed the following actions from the 5 December 2016 meeting:

The Committee discussed the action that *'an item on Cafcass' work with Mental Health First Aid England to develop training around supporting staff at Cafcass will be brought back to the Performance Committee at a later date.'* A member of the Committee mentioned that they had discussed this with Jenny Hunt and was informed that mental health was increasingly at the forefront of employers' minds due to its prevalence in the public's consciousness. It was also mentioned that training on radicalisation would be available on 2 May 2017.

The Committee discussed the upcoming programme of thematic audits in the light of the Annual Diversity Report and its wish to see diversity reflected in the programme. The Assistant Director agreed to circulate the programme of thematic audits to the Committee by email.

**Action 2:** The programme of thematic audits would be circulated to the Committee for information.

The Committee discussed the action that *'the National Family Justice Board performance statistics should come back to the Committee periodically.'* It was agreed that statistics should be presented at each meeting. The Chief Executive agreed to circulate the latest statistics

**Action 3:** The National Family Justice Board Performance statistics would be circulated to the Committee for information.

The Chair suggested that a more detailed version of the Forward planner needed to be circulated to the Committee after the meeting.

**Action 4:** The Committee forward planner for the year ahead would be circulated to the Committee for information.

#### **4. Performance Report**

The Assistant Director presented the Performance Report, outlining the papers key themes. The year to date demand continues to show a significant overall increase. Public Law care application demand is at a record high, with Cafcass having a 17.2% increase in the amount of applications received in 2016/17 compared to the same period last year. Private Law was reported to have had a 9.6% increase in the amount of cases received between April and January 2017, compared to the same period last year.

Forecasts predict continued increases in both public and private law demand for the remainder of 2016/17 financial year. Currently +13% for Public Law care and +8% for Private Law is a reasonable estimate for the end of the financial year. The Committee discussed the disparity between Cafcass and MoJ forecasting which is due to the use of differing tools and data. Staff are confident that Cafcass measures are robust.

The report identified that average private law duration had fallen to 19 weeks. The Assistant Director noted that this resulted from faster working of staff and more section 7 reports being completed quickly.

The Committee noted that KPIs 1, 2 and 3 are all meeting or exceeding their targets. KPI 4 (private law section 7 reports filed by agreed date) has fallen below 97% and is now amber, although performance in both December and January has exceeded 97% reversing the previous negative trend. Private law filing is undertaken electronically, and IT outages at key times have impacted on the performance of some service areas for KPI 4. The Committee were assured that there are no expected ramifications from the MoJ in relation to the decline of performance against KPI 4.

The Assistant Director noted that the national average specified in the public law care application heat map should be corrected from 29 to 26 weeks, the same figure specified in the map adjacent for 2016/17 figures.

Action 5: The public law care application figures within the Performance Report heat map to be corrected.

## **5. Exceptions Report**

The Director of Strategy presented the first Exceptions Report to the Committee. The Disclosure and Barring Service (DBS) renewals for existing staff had fallen behind schedule but the Director of Strategy reassured the Committee that this matter had been urgently addressed and rectified. The Committee queried whether there had been any discoveries of staff members being barred after undergoing the DBS renewal process. The Chief Executive reassured members that there were no instances of staff members that would have otherwise been prevented from working at Cafcass if the DBS renewal process had been implemented more effectively.

## **6. Strategic Plan Dashboard**

The Director of Strategy presented the Strategic Plan Dashboard stating that good progress had been made and outlining the key organisational achievements of the year to date. 73% of all QAI's were reported as being graded as good or outstanding compared with 7% of QAI's requiring improvement.

The Committee was informed that the bid to the DfE for social work innovation funding was unsuccessful due to uncertainties about the value for money and sustainability of the bid.

The Committee asked to be kept up to date about the DfE contract to develop a national CPD programme for achieving permanence, which is being delivered by a consortium that includes Cafcass.

Action 6: To update the Board on the progress of the DfE contract to develop a national CPD programme for achieving permanence.

## **7. 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.

The Committee noted that the residual risk for Workforce Capacity remains as Red to acknowledge the continuing rising pressure and workloads on staff through increasing demand and a deficit in FTE. However, this has not affected the quality of work and good progress has been made regarding the additional mitigations added last quarter (e.g. revisions to the recruitment process; expansion of the workforce capability; expansion of our newly qualified social worker programme).

## **8. Freedom of Information Bi-annual Report**

The Head of Legal Services presented the Freedom of Information Bi-annual report and informed members that Elizabeth Morrison had taken over as the new Information Assurance Officer. The nature of requests was discussed and the Committee were informed that one request was in relation to possible gender bias in decision making. The Committee suggested

that it would be helpful to have statistics to show that Cafcass did not have a gender bias in its recommendations to court.

## **9. Corporate Services Presentation – Legal and Governance**

The Head of Legal Services provided a presentation on the role of the Legal Services and Governance arrangements. The role of the Governance Team in responding to FOI requests was highlighted and the importance in future of being prepared of the new general data protection regulations, due to be released in May 2018. This regulation places greater emphasis on prompt disclosure of personal data and a review of the security of data held by the organisation.

The Legal team's role in providing guidance to Cafcass' corporate services and acting as representatives of children in the high court was also explained.

The Committee were informed about the expectations of the Board and Committees which are set out in Statutory Instruments. Updates to Cafcass constitutional documents were discussed and it was agreed that they would be updated.

Action 7: The Head of Legal Services would update the documents currently on the website which support the Framework document with MoJ.

## **10. Any Other Business**

There was no further business.

DATE AND TIME OF THE NEXT MEETING: Tuesday 2 May 2017, 11.00 – 13.00

### Actions Summary

Action 1: MoJ representatives to be encouraged to attend future meetings given the importance the Committee attaches to their attendance.

Action 2: The programme of thematic audits would be circulated to the Committee for information.

Action 3: The National Family Justice Board Performance statistics would be circulated to the Committee for information.

Action 4: The Committee forward planner for the year ahead would be circulated to the Committee for information.

Action 5: The public law care application figures within the Performance Report heat map to be corrected.

Action 6: To update the Board on the progress of the DfE contract to develop a national CPD programme for achieving permanence.

Action 7: The Head of Legal Services would update the documents currently on the website which support the Framework document with MoJ.