



## CHILDREN AND FAMILY COURT ADVISORY AND SUPPORT SERVICE

Paper for the Board Meeting on Friday 26 January 2018

### CHIEF EXECUTIVE'S REPORT

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1. This report covers the period since I last briefed the Board on 1 December 2017.
2. Reports elsewhere on this agenda go into detail about many issues in my overview report so I will not duplicate what is in those reports.

#### Demand and resourcing

3. Public law demand continues to plateau or show a slight decline month on month, albeit at the high level reached last year. Our main concern in public law is the increase in cases within the court process, known as 'outstanding' cases, which is the best proxy measure for demand on us. Private law demand is rising again in January after a slight decrease in December. Changes to the range of evidence acceptable to be eligible for Legal Aid from 8 January are probably the reason for some private law applications being held back until now.
4. We have continued to maintain our levels of performance, productivity and quality in all of our service areas despite the additional pressure.
5. Despite the increase in our budget this year, we are projecting a small overspend on our budget for the first time in nearly a decade. The cause of this is the transitional costs of using agency staff before we can fill vacancies with permanent staff and the fact that it takes new permanent staff around 3 months to pick up a full caseload. These are costs we have had to incur to keep services going. This is full explained in the Finance Report on the Board agenda.
6. We have asked the Ministry of Justice for a smaller additional resource than in 2017/18 for 2018/19 in order to be able to meet the increased demand for 2018/19 which is being projected.

#### Reform

7. As a consequence of the January reshuffle, we have a new Secretary of State, David Gauke, and a new Family Justice Minister with responsibility for Cafcass, Lucy Frazer.
8. Our new Minister has been asked to sign off the Manchester pilot project to support the early resolution of private law cases. The Board are already well sighted on the ambition for this. Update reports will be provided at each full Board meeting.

9. Another pilot, using a Child Impact Analysis as the standard direct work and reporting framework in private law cases, is also still underway in Essex and North Yorkshire. This pilot has been extended for 3 months until May 2018, to allow time for all cases in the pilot to complete. An evaluation will then be undertaken. The interim evaluation was cautiously positive.
10. We continue to develop an online option for service users, which will form part of the Manchester pilot and is also part of the overall courts reform programme.
11. A full list of all current pilots was sent to the Board in advance of the latest meeting of the Board Strategy Group which was held on 19 January (and is attached at appendix 1). This group considered the Board's existing 'Vision for the Family Justice System' in light of recent developments such as the Manchester gateway pilot and other developments and a further paper will be drafted focussing on how the system can be made sustainable into the 2020's.
12. We are continuing to develop case management pathways for high conflict and alienation cases in private law. These pathways will be separate to yet complement the existing Domestic Abuse pathway and will mostly be in the form of internal guidance for our practitioners. This work has already attracted considerable public interest so after some further internal development work, lasting until 31 March, we will place draft versions of the pathways on our internet site, in advance of the pathways going live in the early summer. They will form the basis of a Board seminar before the go live date.
13. Finally in this section, the sector-led Care Crisis Review, facilitated by the Family Rights group (FRG), continues to take evidence. At its last meeting on 17 January, a decision was taken to launch two further surveys to garner a wider range of opinion about firstly, the reasons for the record number of care applications and the high number of children in care at present and secondly, to identify what specific changes can safely reduce the number of care applications and to avert the need for children to come into or remain in care. We continue to be core participants in this review.

## **Policy developments**

14. The Assistant Director of Policy is now on maternity leave. Cover arrangements are in place and are working well. The new Director of Strategy, Teresa Williams, starts on 1 March.
15. Full roll out of the phase of new accreditation regime and standards for social workers affecting Cafcass will now not take place until 2020 at the earliest. We remain confident our Quality Assurance and Impact framework meets all the known and anticipated requirements.
16. We have been involved in numerous external policy developments e.g., the work led by Ofsted on a multi-agency response to domestic violence following their programme of joint targeted area inspections (JTAI's).
17. Our own Ofsted national inspection has not yet started, but is bound to be announced relatively soon. We have agreed with Ofsted that we will not be involved in their next tranche of JTAI's in this coming year as that would be too much of an inspection burden this year.

## Board changes and appointments

18. Interviews for the new Board chair are being held in late February and interviews for new Board members are being held in late February and early March.

## Miscellaneous items

19. Our revamped internet site went live in mid-January. This was a technical refresh only. Content remains the same. A similar project is now starting to refresh the Cafcass intranet.
20. Each of our 5-internal audit reports this year to date have been given the highest possible rating by the Government Internal Audit Agency (GIAA) – substantial. This is especially pleasing as many are backroom services that despite being in the background are crucial to successful frontline service delivery.

## Anthony Douglas CBE

Chief Executive

19 January 2018

Appendix 1 - list of current pilots

\* [Section 36 of the Freedom of Information Act](#) relates to the prejudice to effective conduct of public affairs:

*Information to which this section applies is exempt information if, in the reasonable opinion of a qualified person, disclosure of the information under this Act—*

*(b) would, or would be likely to, inhibit—*

*(i) the free and frank provision of advice, or*

*(ii) the free and frank exchange of views for the purposes of deliberation,  
or*

*(c) would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.*

Some sections of the Chief Executive's report are intended to stimulate free discussion at the Board meeting about current issues within the organisation. These relate to confidential or live issues which are not yet public or finalised. In these cases it has been decided that the public interest in maintaining this exemption outweighs the public interest in disclosing the information. Compromising the safe space for developing ideas and debating issues would damage the effective working of Cafcass which is a public body necessary to the effective working of the family justice system. This outweighs the public interest in transparency and accountability of the activities and topics discussed, which are disclosed where possible.