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Board Meeting 5 October 2022

CEO headline messages with senior leadership team

Public Session



Data, strategy, successes



- I. Data overview
- 2. Strategic progress
- 3. Practice week 2022
- 4. Workloads
- 5. Successes in the reporting period



Data Overview

- YTD April August 2022, overall DEMAND has reduced by 12.6% overall (3,396 Children's cases/ 5,675 children) (compared to the same period 2019/20. This represents:
- Public law being 11.5% lower (897 cases /1,847 children) however S31 care proceedings and Deprivation of Liberty applications have increased in the same period by 4.7% and 35% respectively
- Private law 13.1% lower (2,499 cases/ 3,828 children)
- Cafcass open active case numbers are 33,964 ~6.1k children or <u>12.7% higher than pre – covid</u> <u>levels</u>
- Allocation hubs in areas where prioritisation is active are overseeing proceedings for 751 children (represented by 486 cases)

- DURATION of proceedings continues to be our biggest challenge as a family justice system. In total there are ~15k children in proceedings ongoing for 52 weeks or over, of these 4,377 children are on proceedings ongoing for 100 weeks or over
- 2,527 current active public law cases (5,104 children) have been <u>open for 52+ weeks</u> 19% of the total that are open and active. 398 of these children's cases (854 children) have been in <u>proceedings lasting 100 weeks or more</u> 3% of the total. <u>The number of our longest running cases is increasing.</u> Just 1 in 5 are closed in 26 weeks or less.
- In private law there are 6,348 current active children's cases (~10k children) that have been <u>open 52+ weeks</u> (32% of total open active children's cases) of which 2,198 (~<u>3.5k</u> <u>children) have been on open cases 100+ weeks</u> (11% of total open active children's cases). 37% of open cases over 100+ weeks are R16.4.



Data Overview (2)

- 96.9% of children on active cases have a completed CHILD ENGAGEMENT record with 86.3% seen in person
- Average active CASELOADS for <u>work after first</u> <u>hearing teams</u> are lower than pre-pandemic levels at 20.9 for FCAs (adjusted for FTE) compared to 22.5 (March 20)
- For <u>work to first hearing teams</u>, caseload averages for FCAs are **42.4**; compared to the 40.9 in March 2020
- Number of children's case where a Service Manager is allocated as lead practitioner is 306 children's cases (490 children) and Practice Supervisors are lead allocated in 2,097 children's cases (3,355 children) – management capacity is therefore compromised given this case lead responsibility for some managers in some areas

- During April to July 2022, it took on average 8.6 working weeks to FILE in public law cases, +1.7 weeks higher than the same period in 2019/20
- The average time to file a safeguarding letter is **4.7 weeks**
- The average time to file a section 7 report is S7 15.1 weeks. This has increased by 4.3 weeks on average compared to March 2020
- 38% of section 7 reports are extended for an average of 24 days
- Overall S7 demand has decreased compared to the pre-Covid baseline by 5.9% (-535 reports), however, within this addendum report demand has increased by 6.4% (172 reports). This proportionate rise is a continuing trend

Strategic Delivery Priorities: progress highlights



Practice

- Together: our new practice framework
- Introduction of our Practice Quality Standards
- Domestic Abuse Action Plan first year update
- New Feedback Strategy and draft complaints policy
- Family Forum established with a clear work plan
- Hear to Listen service
- National improvement plan: 5 priorities at local and national level

People

- Workforce strategy and employer brand
- Annual staff survey
- Equality Diversity & Inclusion Strategy
- Talent Pathway for Black, Asian and Minority Ethnic staff
- Digital strategy
- Estates strategy: new office design concept
- New Performance and Accountability Cycle, quality assurance and learning
- Updated and republished our operating policies

Partners

- 6 national priorities for the Family Justice Board: focus on recovery and tackling delay
- Testing new approaches in private law: MoJ Pathfinder and internal pilots on approach early in proceedings
- Improved data to understand national trends and local variation
- Prioritisation Protocol
- Working with HMCTS on improvements to information sharing
- Supporting implementation of the President's Transparency Review

New strategy for 2023-26 in draft for internal development





Practice Week 2022 – our aims

- 1. To restate our intention to continue to improve our work with children and families so that it is respectful, relational, robust in protecting children, strengths-based and consistent
- 2. To **reinforce the importance and positive impact of a unified model of social work** that enables social workers to practice within the values and principles of Together without compromising their professional judgement
- 3. To strengthen the professional culture at Cafcass so that everyone working here uses the values of the framework in their everyday interactions and work
- 4. To promote the values and practice elements of Together to the many new family court advisers and managers who have joined Cafcass since Practice Week '21
- 5. To reinforce that we are **shifting the balance from surveillance of compliance with a standard operating procedure to reflective supervision and learning** that supports family court advisers to make extremely complex decisions
- 6. To give family courts advisers, practice supervisors and service managers the **opportunity to talk about their achievements and the difference they are making** when utilising the practice elements of Together





Practice week – So, did we achieve our aims?

An unequivocal YES! How we know?

1. The **number of colleagues** who got involved – despite all the work pressures on them

- 2. The **predominance of energy and positivity** throughout the week mentioned by all
- 3. The quality of professional discussion between colleagues throughout the chat
- 4. The **openness of the discussions** the willingness to disagree respectfully
- 5. The **many and moving examples of best practice** presented with humility and the desire to keep improving.
- 6. Bring on Community Care Live!





Progress on workloads

 There remain some differences across teams and functions, but the average number of children's cases held by family court advisers in Early Intervention Teams have reduced so they are now close to prepandemic levels. The number of children's case held by family court advisers in public law and work after first hearing private law teams have also reduced to March 2020 averages

2. Prioritisation has worked in bringing down the caseloads of family court advisers and service managers through the use of allocation hubs and new ways of working with partners. 5 operational service areas still activated, of which 3 are on target to de-activate between September – December. Joint partnership plans are being developed to de-activate prioritisation in the remaining 2 service areas in the New Year

3. Currently consulting on proposals to reconfigure operational management arrangements to achieve a **more balanced workload** for service managers, aimed at their capacity and capability to undertake management oversight of the quality of practice and support to family court advisers





And in other news -reasons to be cheerful!

- **I. Piloting different approaches to private law in the early stages of proceedings** the Ministry of Justice Pathfinder pilot in Dorset and our own pilots in four service areas.
- 2. The initiation of a talent pathway for Black, Asian and Minority Ethnic colleagues
- 3. Investment in a manager development programme, including specialist supervision training for social work managers
- 4. Our work with an **independent specialist to promote Cafcass as an employer of choice** for social workers a stand and a workshop on Together at Community Care Live 2022
- Securing additional support to prepare for Ofsted, implement our Public Law Practice Improvement Programme, provide coaching support to new managers, devise and implement our own career and qualification pathway for family court advisers
- 6. The **re-design of the Cafcass website** well underway for launch in early 2023



People & Workforce



- I. Pay & Benefits
- 2. Workforce Data
- 3. Employer Branding
- 4. Talent Pathway for Black, Asian & Minority Ethnic Employees
- 5. Proposal to Reconfigure Operational Management Arrangements
- 6. Management Development Plan



Pay & Benefits – 2022/23

Pay Settlement Background

- Civil Service Pay Award 2022/23 2%
- Cafcass can only apply for additional 1% based on transformational Change

Pay Settlement Update

- Chief Executive wrote to MoJ requesting flexibility to make a higher pay award based on our unique situation with Cafcass Social workers being frontline public sector workers and not civil servants
- Our direct comparison is to Local Authority Social Workers who will receive a pay settlement of c4.5%
- Turnover of staff has increased from c8% two years ago to 13%. In some areas it is over 20%
- Grave concerns that with the cost of living crisis and yet another pay settlement deficit to local authorities, that retention and recruitment of staff will become an even bigger issue
- Formal meeting with MoJ has taken place on 27th September

Maximising Employee Benefits to Support Retention

- Additional Wellbeing Day for 2022/23 total of 4 a year
- Buy & Sell Annual Leave
- Continuing the enhanced temporary rate of business millage claim (6p & 4p Extra)
- Refer a Friend recruitment incentive of £500
- Increased subsistence rates
- ULEZ & Clean Air Zone charges claimable for 12 months





Workforce Data

 Cafcass continues to have a more stable and permanent workforce, both in terms of agency usage and staff turnover, compared to the average for Local Authorities (as at 31 August 2022)

Social Work Turnover

Organisation	% Turnover Last 12 months
Average for Local Authority (Sept 21)	15.4%
Cafcass Year End (March 22)	12.1%
Cafcass August 22	12.6%

Locum social workers

Organisation	12 Month Position	
Average for Local Authority (Sept 21)	16 %	
Cafcass Year End (March 22)	3.3%	
Cafcass month of August 22	3.3%	

- Some areas of the country continue to remain harder to retain and recruit to but we have developed targeted resourcing strategies in place to support these areas which have been successful
- We have however a significant and present risk that the Cafcass pay award being lower than that offered to Local Government, despite our strong benefits package, could result in increased staff turnover. We continue to be in discussion with MOJ about what is possible in the context of existing pay rules



Workforce Data (2)

- Trend of more employees joining than leaving Cafcass since <u>1 April 2022 to 22 September 2022</u> with 187 employed staff (including 121 Family Court Advisors) joining and 161 employees leaving (including 104 Family Court Advisors)
- Whilst encouraging that we are able to recruit social workers to join us and those who do are positive about our focus, energy, commitment to their development and the quality of our work, our capacity to manage workloads and maintain the experience and skill required to undertake complex work in proceedings is compromised. The costs associated with turnover at the levels we are experiencing are also difficult to sustain.
- During the **3 months from July 2022 to September 2022**, there were **102 new starters** (including 70 Family Court Advisers). There were **83 leavers** (including 57 Family Court Advisers)
- The Average Working Days Lost (AWDL) due to sickness absence has stayed the same for social workers (9.8 days) and increased for business services/corporate services (8.7) when compared to 7 September 2022
- The number of social work employees absent has decreased (69) and business services/corporate services employees has increased (23) on 22 September 2022 when compared to 7 September 2022
- The percentage sickness absence due to work-related mental ill health has increased for social workers (11.13%) and decreased for business services/corporate services (0.09%) employees over the last 3 months (as at 22 September 2022).





Employer Identity

CAFCASS EMPLOYER BRAND

USING OUR NEW CULTURE TO CREATE AN EMPLOYER IDENTITY WHICH:

- Describes why people want to join and stay at Cafcass
- Is clear on what it is like to work here
- Defines our uniqueness
- Based on our together values



Employer Identity – Why is it Important?

- Attracting Staff
 - 92% consider changing jobs to a company with an excellent corporate reputation
- Being Visible to candidates who may not really know or understand us
 - 75% of Professionals are passive candidates
- Helping Candidates make informed decisions
 - No.1 Quoted obstacle is not knowing what it's actually like to work at a company
- Connecting us to our purpose and builds on our set of values in our Together framework
 - 60% will choose a place to work based on their values
- Supports staff feeling proud to work here by connecting to our brand
- Sets the tone and messaging in how we behave and what is important to us as an employer



THE MESSAGE BEHIND OUR EMPLOYER BRAND





Employer Identity – headline messaging examples

Some experiences can be hard to share

But you'll be there to listen

Be their voice

When it's hard to put into words You'll help them find a way **Be their voice**

When they are ready to talk Help them find the words **Be their voice** When they've waited to be heard You'll take as long as they need **Be their voice**

Speak on their behalf And you'll help them feel heard **Be their voice**





Employer Identity – what next?

- **Community Care Live 22** We are having a key presence at this event on October 11-12 to raise our profile as an employer and showcase our practice through a masterclass.
- A range of creative resources including new adverts and social media assets will be available this Autumn.
- Videos of Cafcass colleagues and a short film along with new careers pages content will be developed by early next year all designed with key messages in mind
- We all have a role to play in encouraging people to join us and remember we have our referral scheme of £500.



Talent Pathway for Black, Asian & Minority Ethnic colleagues

Key Milestones

- Established the Implementation Group in July 2022
- Launch of Expressions of Interest September 2022
- To support launch arrangements a series of communications, CMT events and online Market Stall/Taster Sessions were held to allow staff to ask questions and engage with the course programme in support of their applications
- Further communications are planned in the lead up to the Expressions of Interest Closing window

What's happening next?

- Expressions of interest window closes on the 26 September 22
- Early October Moderation panel to confirm candidates and eligibility for the Programmes. These are chaired by EDI CMT Board Sponsor, FJYPB and senior managers across both Corporate and Practice teams

November onwards: Programmes start to run for 12-months

Programme	Number	Current
	of Places	Enrolment
		S
Brilliant Leaders	12	8
Aimed at Practice and non-practice		
colleagues with little or no line		
management experience		
Black and Asian Leadership	Up to 15	6
Initiative (BALI)		
Aimed at Practice colleagues - with		
supervisory or management		
experience, including first line		
managers, Service Managers, Heads		
of Practice and above		
Coaching Programme	5	5
Aimed at providing enhanced		
support for those on the Emerging		
Talent programme		
Total		19



The rationale for reviewing our management arrangements

The drivers for change are drawn from 1) successive Ofsted inspections; 2) the internal review of management oversight and supervision; 3) feedback from FCAs who have said they often have concerns about approaching busy managers; 4) feedback from service managers and practice supervisors about their capacity to do everything required of them; 5) audit and performance data; 6) analysis of manager/FCA ratios; and 7) to create career opportunities:

- ✓ The capacity, quality and effectiveness of management support and oversight is a critical factor in consistently achieving practice quality and performance standards
- Cafcass has a duty to provide effective management oversight of the quality of practice and performance we have increased the expectations on service managers to meet this duty consistently
- ✓ We aim to narrow the variability in management capacity and capability
- \checkmark Children and families have the right to expect a consistent level of practice and service from their FCAs

✓ FCAs have the right to expect consistent levels of support and supervision



Overview of the proposed changes – a pathway to management

The proposal provides experienced and high performing FCAs with the opportunity to make a considered and supported decision about the next step in their career – either to progress as an advanced practitioner or make a carefully considered first step into a management role



Aims of the proposed changes

The over-arching aims of the proposed change are to 1) increase management capacity and capability; 2) establish a framework for a balanced workload for managers; 3) raise the quality and effectiveness of management oversight and supervision; and 4) support managers to reduce inconsistency in the quality of practice and performance

- Establish a baseline for the ratio of service managers to FCAs and through FCAs to the numbers of children in proceedings for which managers are accountable
- Set out clear expectations of operational managers through a set of management quality standards describing 'what good looks like'
- ✓ Increase management capacity within the current budget envelope recognising and drawing on the experience and expertise of practice supervisors
- ✓ Increase management capability with significant additional investment in professional development
- ✓ Provide preparation and a 'step up' opportunity for aspiring managers
- Provide a career development opportunity for our most experienced and high performing FCAs so that they can stay in practice





Outline of the proposed changes: reconfiguration of the role of Practice Supervisor* and creation of an advanced practitioner role

In order to increase management capacity within the existing budget envelope, it is proposed that the role and function of the Practice Supervisor is reconfigured at Band 8B to include line management of a small number of FCAs

- ✓ It is proposed that under the reconfigured job description a Practice Supervisor has the direct line management of up to a maximum of 4 FCAs
- ✓ And has substantive responsibility for up to a maximum of 8 children's cases
- ✓ A skills assessment to take on line management and an individual training plan will be put in place to support the transition of Practice Supervisors who wish to take up this opportunity

In order to provide a career opportunity for FCAs within the existing budget envelope, it is proposed that an advanced practitioner (title to be agreed) is created at Band 8A

- ✓ The job description for the advanced practitioner role is aligned to the current Practice Supervisor role with a future requirement to have practice expertise in at least 2 areas of practice
- The advanced practitioner would hold a reduced number of children's cases (to be agreed) in order to mentor less experienced colleagues and facilitate team learning



Intended timeline for consultation and agreed change

- ✓ Consultation: 03 to 28 October 2022
- ✓ Analysis and final CMT decisions: 15 November
- Practice Supervisors informed of outcome: WE 18 November
- ✓ Practice Supervisors express preference: 31 November
- ✓ Individual letters confirming preference: December
- Practice Supervisors in new role undertake management skills audit: December

- System adjustments scheduled to reflect new arrangements: December
- Practice Supervisors in new role undertake management training: January-March
- ✓ New arrangements in place from 01 April 2023
- New arrangements phased from April
 2023 September 2023
- ✓ Practice Supervisors confirmation in post: October 2023





Developing our managers

While Cafcass has a duty to provide a comprehensive development programme for managers, our investment in management development and training has fallen short of the changing and increasing expectations, especially those placed on our social work managers. Whilst at its core, the management development programme is relevant to everyone carrying our management roles in Cafcass, there are a range of specialist modules that are focused on the social work management role.

Aims of the programme

- To support transition into management posts and beyond, including providing an induction that ensures new managers clearly understand the expectations of their role and supports their learning as they progress within their confirmation period
- To provide **opportunities** for **learning and continuous improvement** that meet the needs of new and existing managers, the needs of the organisation and those of children and families
- To support new and existing managers in the development and maintenance of Cafcass leadership behaviours
- To support the development of **individual learning plans** for all new and existing managers
- To develop and retain a skilled, motivated and diverse management team, including supporting them to engage in learning opportunities that promote professional development and further accreditation
- To develop **measures** that ensure we understand the **impact of the programme** via data and feedback
- To utilise **internal and external training** providers, as required.



Proposal for the programme

The programme comprises three primary components

- Induction & building from induction,
- Social work management at Cafcass,
- Leadership with a supplementary aspect specific to social work practice

Core management induction training	Including all core modules and training on restorative leadership (delivered by an external trainer) and Cafcass leadership behaviours (to be developed)
Social work management training	Including induction modules and training on social work supervision skills (delivered by an external provider) and Dilemmas in Public Law (to be developed)
Supervision of social work practice	Including reflective sessions on the Public Law Improvement Plan, Learning Together and analytics training
Leadership	These modules will all be designed collaboratively with HR to meet the needs of managers within the organisation.



Improvement in the next period



- I. Domestic Abuse Perpetrator Programmes (DAPP)
- 2. Public Law Improvement Programme
- 3. Challenges that remain
- 4. Principal social worker update



Domestic Abuse Perpetrator Programmes – current position

- The Ministry of Justice (MOJ) has taken the decision to develop a new programme that more effectively meets the diverse needs of children and families who have experienced domestic abuse. The current DAPP commissioning arrangements via Cafcass come to an end on 31 March 2023 and, as it takes 9 months from Cafcass receiving an order to programme completion, Cafcass stopped receiving orders for DAPP on 30 June 2022 to allow all referrals to be completed by the end date.
- Cafcass agrees that more effective programmes are needed to help children in family proceedings where a parent is known or alleged to have perpetrated domestic abuse and a decision has to be made in respect of safe enough contact for them. Such programmes also need to be more consistently available across the country. DAPP provision was never universally available but was further impacted by the pandemic and has shown little sign of recovery.
- In 2019/20, annual referrals to DAPP were 895 (1.9% of all Private Law applications). This reduced to 533 in 2021/22 (1.3% of all Private Law applications). Analysis of a sample of DAPP referrals in 2019/20 found that 64% of DAPP courses were fully completed.
- At the last count (20 Sept 2022), Cafcass had **225 open DAPP referrals** remaining and all court ordered perpetrators have been offered a place with one of our contracted providers to complete a DAPP ahead of the contract end date.
- MoJ will lead work to scope, resource and review the role of perpetrator programmes in the family justice system and consider how they should be accessed. Any new programme would take at least 2 years to develop, and a new offer will not be available until at least the middle of 2024. This means there is no court-ordered DAPP provision for England (there has never been court-ordered DAPP provision available in Wales) after March 2023.



Domestic Abuse Perpetrator Programmes – Cafcass Assessments

- Cafcass FCAs are using the practice guidance in the updated Domestic Abuse Pathway to liaise in more depth with other agencies and family members to assist them in recommending to the family court, either a safe and beneficial arrangement for family time (whether direct or indirect) or for no direct arrangements to be in place. <u>Assessments require</u>:
 - Clear and well-reasoned decision making: clear rationales in respect of family time or no direct arrangements
 - A clear account of the child's view and experience, and very specifically their wish for contact or not
 - Informed safety planning involving the child and parents/carers
 - Clarity in respect of the actual harm that has occurred and a clear analysis of the future risks in relation to family time

Future arrangements

- Cafcass will work as a partner with the MoJ in developing a new domestic abuse intervention for children and families that
 effectively meets their needs without adding to delay, which children tell us is one of the most troubling aspects of being in
 family proceedings. <u>We will be clear that the offer needs to support FCAs in their assessments about what is safe and in
 children's best interests.</u>
- As an interim measure, Cafcass has recommended that MoJ considers whether the Improving Child and Family
 Arrangements service could be expanded to offer a more in-depth assessment of observed and supervised contact to
 support recommendations to court. This is a different offer to DAPP but one we think would facilitate safe enough contact
 where a robust suitability assessment by the FCA has determined this is in the best interests of children and their families



Public Law improvement programme - why we need the programme

- Case audits undertaken locally and by the National Improvement Service have consistently indicated that a high proportion of practice in public law is good and outstanding. However, some significant incident reports, case record reviews and local and national learning reviews have indicated areas for further consideration, development and improvement
- ✓ We want to **reduce significant variations by regions and courts** in respect of public law proceedings
- Our recent public law audit provides a strong baseline of practice and confirms the areas for priority improvement in our programme
- ✓ Notable judgements, case law and practice directions
- ✓ We support the **recommendations of the President's PLWG** published in 2021, specifically in respect of:
- The research and inspection findings about the quality and impact of some processes, such as the application of the Public Law Outline prior to proceedings and deprivation of liberty
- The level of delay and the impact on children what children and guardians are telling us
- The appropriateness and efficacy of some orders in protecting children from harm



Programme overview

- ✓ Public Law Practice Improvement Programme established April 2022
- Programme made up of 12 priorities, many of which have been work in progress over previous
 12 months
- Clear governance arrangements in place with the support and commitment of the Cafcass Board through this sub-group
- ✓ **Public Law Programme Steering Group** meeting 6 weekly to maintain focus on progress



Headline workstreams for the programme

- I. Deprivation of Liberty applications and practice
- 2. Management oversight of delay for children Cafcass internal programme
- 3. Public law practice quality standards requiring a self-assessment during the year
- 4. Management quality standards (across all practice)
- 5. Variation in local practice and regional performance
- 6. Seeing and engaging with children
- 7. Assessing risk and harm for children under two who have been physically harmed and/or are at risk of physical harm
- 8. Oversight of revised triggers for situational (case) supervision
- 9. Learning reviews
- 10. Termly multi professional discussions about practice
- II. Training and development
- 12. Leading the family justice board reforms on delay for children in public law proceedings





Principal Social Worker Report

- **1.** Activity this quarter: Practice Week, involving over 40 sessions, designed to take stock on progress with implementing Together, to engage colleagues in thinking and learning together about our priorities
- **Tasks completed:** The feedback strategy was launched in July, the thematic audit in public law reported in August, the Private Law Practice Quality Standards and the Policy on working with Grandparents, wider family members and professionals were drafted, the summary report into learning from 6 Learning Reviews was presented, as was the Programme for Manager Development and the Learning and Development annual plan
- 2. Plans for next quarter: Focus on Private Law Transformation (internal), refresh of the Child Impact Assessment Framework, The Performance Board process will be refreshed, the serious incident reporting process will be formally reviewed, we will extend work on preparing for the career and qualification pathways for FCAs in time for a launch in April 2023. A review of resources for direct work with children is underway

3. Thoughts and challenges

- Continue to think about ways of 'getting the balance right' in respect of the independence of FCAs as court appointed experts and the request/need for clarity of expectations and consistency in practice – including how we engage colleagues for whom the practice framework imperative is not clear enough
- Work to adjust the focus of NIS to deliver targeted support to areas that are underperforming, alongside existing commitments
- Increase the use of national feedback so that analysis of our impact can be more meaningful and influence improvement



Some of our remaining challenges

1. The social and economic impact on families of rising inflation and the cost of living

- The viability of Cafcass in undertaking its statutory duties if pay rates for our social workers do not keep pace with those of local authority social workers – the risk of losing more of our best family court advisers and managers – morale and engagement in our improvement plans
- **3. Persistent delay in proceedings** the damaging impact of delay on children and the additional work for family court advisers <u>a challenge for the whole system</u>
- 4. The viability of **realising our ambitious goals to further improve the quality and impact of practice** if we cannot retain our best family court advisers and managers the risk of increased 'turnover'
- 5. The impact on Cafcass of the **many challenges in other parts of the family justice system**, from increased demand, reduced capacity and potential significant structural change associated with the care review
- 6. There is **limited accountability and leadership in the family justice system** to achieve system wide reform



