

# Inspection of Cafcass Cymru

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.  
This document is also available in Welsh.

## **Contents**

Introduction	Page 4
Overview of findings	Pages 5-6
Strengths	Page 6
Areas for improvement	Page 6
Quality and effectiveness of Private Law Practice	Pages 8-10
Quality and effectiveness of Public Law Practice	Pages 11-12
Quality and effectiveness of Leadership and Governance at an operational and strategic level	Pages 13-16
Methodology	Page 17
Acknowledgements	Page 17

## **Introduction**

Care Inspectorate Wales (CIW) carried out an inspection of Cafcass Cymru in November and December 2018 under section 58A and section 60 of Government of Wales Act 2006.

CIW evaluated Cafcass Cymru's performance against set practice directions underpinned by the Children Act 2004. Cafcass Cymru was inspected as an all Wales organisation taking into consideration its Welsh context. The inspection reviewed aspects of service delivery at a local level in their five local areas.

Our inspection methodology focused upon engagement with people, including the extent to which Cafcass Cymru is respectful of people's dignity, focuses on voice and control, safeguards and influences to achieve good outcomes for children and families promoting the principles of the Social Services and Well-being Act Wales 2014.

Inspection evidence was gathered by looking at the experiences of individual children up to the age of eighteen and their family when they received a service from Cafcass Cymru. This was done through case file review and case-file tracking. We also undertook interviews with staff members, key partners and stakeholders and took opportunities to observe practice and meetings with children and families, where possible.

The inspection focused on the quality and effectiveness of Cafcass Cymru's main functions of providing expert advice to courts, safeguarding and supporting children who are involved in family proceedings. Cafcass Cymru has a vital role in supporting children and families in family court proceedings and in advising the courts on the best course of action taking into consideration best interests of individual children.

We focused upon the quality and effectiveness of Cafcass Cymru's practice in private and public law. We considered the quality and effectiveness of leadership and governance at an operational and strategic level. In addition, the inspection reviewed how well Cafcass Cymru promoted the voice of the child, including those subject to secure order applications.

## Overview of findings

- We found Cafcass Cymru's officers were committed to delivering best outcomes for children and this has assisted the organisation in managing the increase in the volume of its work. The organisation has faced the challenge of increasing numbers of children who they work with and has provided a timely response and good quality service and has the capacity to build on existing strengths.
- Overall the quality of practice observed was good with some excellent engagement with children and families. There was evidence of the voice of the child being at the centre of practice. Direct work with children and young people, although undertaken, was not always evidenced within records.
- Most reports evidenced good information sharing with partner agencies and made safe and clear recommendations. In private law we found improvements could be made to signposting to family information services to better inform children and families on support available in their local area.
- The child impact analysis approach assisted practitioners in private law cases to focus on the views and needs of the child. There was evidence of children being seen and seen alone when family court advisors were reporting to the court. The child impact analysis approach was welcomed with its clear focus on children; there is a need to ensure that all individual children's needs are fully recorded.
- There was limited evidence of plans being updated or reviewed during the family court advisors involvement to reflect changes and decision making. Work has been undertaken by Cafcass Cymru in improving the quality of case planning with further work required to strengthen this area of practice as plans viewed were of variable quality, with most containing limited information.
- The organisation is ambitious and committed to promoting continuous learning and improvement. Examples of this are the use of the child impact analysis approach in private law work and the development of a safeguarding enquiry officer role. There is ongoing work to provide training and development opportunities for practitioners. There is a need to embed the quality assurance, learning and improvement framework in practice which has a focus on reflection, peer review of reports, practice review and development sessions.
- Senior managers were innovative, responsive and worked well with key partners and stakeholders. The organisation has a clear vision which is understood by staff. There is a positive culture within the organisation.
- Cafcass Cymru seeks to improve services for children by working collaboratively to innovate and influence practice. This was evidenced through the child impact analysis approach being shared with local authorities. We heard of Cafcass Cymru sharing administrative data as part of the development of the Family Justice Observatory for Wales and England.

- There was evidence of effective communication between the judiciary and Cafcass Cymru with senior managers valuing feedback. Cafcass Cymru values, listens and acts upon the advice given by the Family Justice Young People Board (FJYPB). There is a need to strengthen the working relationship with Independent Reviewing Officers (IROs) and consistently implement the working protocol between IROs and Cafcass Cymru.
- Senior managers maintain effective working relationships with Ministry of Justice, Cafcass England and ADSS Cymru to promote the needs of children and young people in Wales within the UK context. Senior managers are motivated to work with partners to bring about improvements to achieve effective outcomes for children. Cafcass Cymru make the active offer to provide services in the Welsh language to people.

## **Strengths**

- Staff are committed to achieving best outcomes for children, and feel valued and supported.
- The workforce is characterised by skilled and experienced social work practitioners who enjoy working for Cafcass Cymru.
- Senior managers were visible and highly regarded by the workforce and partners.
- Managers promote a culture of continuous learning and improvement.
- The overall standard of practice was good with clear foundations in place to strengthen quality of work.
- The Family Justice Young Peoples Board has made a significant contribution to the strategic development and operational delivery of the service.
- The voice of children and young people is at the heart of practice.
- Senior managers effectively engage and work with local authorities, Cafcass England, Ministry of Justice and other partners to improve outcomes for children and young people in the Family Justice System.
- Effective communication across the organisation.

## **Areas for improvement**

- Strengthen signposting to family information services to better inform children and families on support available in their local area.
- Continue work to improve quality of case planning and recording and in particular evidencing direct work undertaken with children.
- Further promote the range and application of direct work tools available to practitioners.
- Strengthen working relationship with Independent Reviewing Officers (IROs).

## **Next steps**

CIW expects Cafcass Cymru to consider the areas identified for improvement and take appropriate action. CIW requests Cafcass Cymru to forward a response to the report within 20 days of publication.

# 1. The quality and effectiveness of private law practice with families

Children and families who are the subject of private law proceedings receive timely and proportionate assessment prior to first hearing to identify their welfare is safeguarded. Courts are provided with concise and accurate advice from Cafcass Cymru to enable them to identify the children who need a post first hearing service, and they receive the assessment appropriate to their needs and rights. Cafcass Cymru's practice in private family law is timely, proportionate to need, equitable and delivered in accordance with professional social work standards and its organisation values and family court procedures. Children's needs, wishes and feelings are central to Cafcass Cymru practice.

- 1.1. When applications are made to court in private law proceedings Cafcass Cymru seeks the earliest possible resolution in the best interests of the children involved. We saw some effective intervention by Cafcass Cymru family court advisors at first hearing to secure good outcomes for children, with some signposting to early resolution and support services. Signposting for early help was not always well evidenced in reports. However, interviews with workers confirmed signposting was generally considered. Some staff were not confident in respect of the process of signposting to support services. A greater link with local authorities' family information services would improve workers' awareness of services available for families identified in need of early support and facilitate effective signposting.
- 1.2. From observations undertaken we saw examples of good and skilful practice by workers. All staff observed were professional, respectful, used clear language and remained impartial and focused on the needs and outcomes for children. We observed family court advisors engage with children using direct work tools to ascertain their wishes and feelings. We saw good outcomes for children resulting from effective resolution work at first hearing where family court advisors engaged effectively with family members to agree best way forward for the child.
- 1.3. We observed good engagement skills by safeguarding enquiry officers who carried out their role in a respectful and professional manner. The role of safeguarding officers is to seek information from parents, carers, local authorities and police to establish whether there are any risk factors which the court would need to consider. We observed officers making safeguarding enquiries through holding telephone interviews and reviewing information received from agencies. Inspectors observed practice to be of a good quality, and best outcomes were achieved when a thorough report was completed prior to first hearing when all telephone interviews were conducted and all agency checks received. On occasions we observed safeguarding interviews being held on the day of first hearing when it had not been possible to speak to people beforehand due to parties not being available, officers acknowledged best practice would have been for the interviews to have been completed beforehand. There were examples when additional reports were filed as workers were unable to complete a thorough safeguarding enquiry report before the first hearing due to delays in return of agency checks.



- 1.4. We observed effective resolution work undertaken when all safeguarding enquiries were undertaken prior to the first hearing where the family court advisor was informed of risks and people's views. This area of work is a current challenge for Cafcass Cymru, with a number of safeguarding enquiry reports filed incomplete, an issue the organisation is actively addressing with the respective agencies.
- 1.5. We saw a number of examples of good practice where family court advisors were focused on the best interest of children and demonstrated good engagement skills. We observed Cafcass Cymru workers practice in a non-judgemental manner, were respectful and showed sensitivity to people's needs. We saw evidence of good liaison between Cafcass Cymru and local authorities in respect of information sharing. Observations of practice at first hearing showed intervention from Cafcass Cymru was helpful in achieving resolution within tight time constraints. However, people's experiences were dependant on whether all safeguarding enquiries were completed prior to the initial hearing enabling the court to have sight of all relevant information.
- 1.6. Workers undertook work with children to help them understand the court process and ensure their voice was heard in representing their wishes and feelings within court reports. Cafcass Cymru provided useful information to children and families in respect of their role from the outset of their involvement. This was particularly important for families who were not receiving legal support. There were bilingual information packs accessible for children, young people and families.
- 1.7. Referrals to local authorities were made when concerns were highlighted and children were safeguarded through clear identification of risk during the safeguarding enquiry process. The safeguarding enquiry officer role is newly established following a successful pilot, with the role previously undertaken by family court advisors alone. Safeguarding enquiry officers regarded the training and support they had received equipped them for their new role. Ongoing safeguarding and skills training would be of benefit to assist staff development within the safeguarding role.
- 1.8. We saw examples where the voice of the child was given paramount importance, and saw examples of good quality practice with a focus on the impact of circumstances on a child. We saw examples of excellent direct work with children and where children's views were clearly quoted in reports.
- 1.9. Some reports did not sufficiently evidence children's unique attributes where there was a large sibling group. In all reports reviewed children were seen, with evidence of a commitment from practitioners to see all children when reporting to court, however some written records lacked detail of direct work undertaken and children's unique needs. The child impact analysis approach was welcomed by staff and partners and viewed as useful to assist in focusing on the needs of the child and issues impacting on child's wellbeing.
- 1.10. There was evidence of children being seen alone and evidence of some effective use of direct work tools to facilitate effective engagement. Where we

saw some excellent examples of direct work with children, practitioner's record of use of tools varied. There is a comprehensive tool kit resource available to practitioners, but their use was not always evident in records.

1.11. In the majority of records reviewed there was evidence of case plans. These varied in quality and were not routinely updated or reviewed. There was little evidence plans were shared with children and families. We did observe workers explain their role to children and families well. Case planning records require improvement so these are working tools to assist practitioners' analysis and to ensure they are individualised and responsive. There was evidence within records of case plans not always being detailed, and did not consistently evidence decision making.

1.12. Most reports appropriately focused on the voice of the child, the impact on the child and personal outcomes. Good quality reports referenced research that assisted analysis and outlined a clear focus on children's lived experiences and impact of risks. However, the quality of reports was not consistently to a good standard throughout the sample we reviewed.

## 2. The quality and effectiveness of public law practice with families

Children and families who are the subject of public law proceedings are supported by children's guardians whose assessment, analysis and recommendations to the court are timely, proportionate and focused on the child's best interests. Their practice is effective and governed by professional social work standards and its organisation values and family court procedures. The voice of children and young people is at the heart of Cafcass Cymru practice and courts are provided with advice that ensures the best interest of children are paramount, delay is avoided and children's welfare is safeguarded. Children's guardians add value to the proceedings, and challenge local authority plans where necessary. Children's guardians maintain communication with children's independent reviewing officers and ensure an effective handover at the end of proceedings. Cafcass Cymru in its public law work has a significant impact on good working relationships with local authorities.

2.1 Family court advisors provided the family courts with good quality advice in respect of applications made in public law proceedings at the first hearing, case management conference and subsequent hearings. Judges valued contributions made by family court advisors within public care proceedings.

2.2 The quality of reports was variable but in the majority good. We saw examples of excellent reports which contained an analysis of the impact of consequence on individual children, represented children's voices clearly using their language and direct quotes, and carefully considered all options when making recommendations. Good quality reports contained evidence of the use of research to inform decision making. Some reports reviewed did not sufficiently detail the method of engagement with children and families. A fuller analysis of children's lived experiences would have better informed recommendations made. Some reports did not evidence a robust analysis, in particular with regards to the impact of changes on a child. Safe and clear recommendations were seen in reports where there was a good analysis of impact of risk.

2.3 We saw some evidence within records of effective direct work with children and where family court advisors advocated and represented children's views. There was evidence family court advisors had scrutinised the support and planning of a local authority for a child. We heard of effective working relationships between children's family court advisors and social workers for the local authorities.

2.4 Cafcass Cymru is keen to strengthen working relationships with local authorities and develop forums for shared learning. Local authorities viewed their working relationship with Cafcass Cymru positively and we heard evidence of regular meetings between senior managers.

2.5 We find there is room for improvement in the level of engagement with Independent Reviewing Officers within local authorities. Opportunities to obtain information from IROs was not always taken to enhance the quality of analysis by the family court advisor. We saw some examples of good communication with IROs at the conclusion of proceedings and sharing of reports. Positively, we heard of workshops being planned to enable Cafcass Cymru to build upon their

relationships with IROs. We were not assured the existing protocol for working with IROs is being used consistently and effectively.

2.6 Recordings were not always detailed and did not explain decision making or analysis which informed recommendations. Some recordings did not evidence direct work with children and families and reference to research. The quality of case plans was variable, with some being detailed and analytical and most contained limited information.

2.7 We observed good interactions between family court advisors and children; family court advisors listened to children and supported them when they met the Judge. A number of workers were able to support families through the medium of Welsh and there was an active offer of the Welsh language across the organisation. Supporting families when English or Welsh was not their first language was identified as a challenge by family court advisors in arranging a timely and good quality translation service. Children, young people and their parents, carers and families were provided with appropriate information bilingually, advice and other support during proceedings. Information packs in a range of languages would assist with the provision of early information to families.

2.8 Cafcass Cymru has a defined role in secure order applications and the number of applications is low in comparison with other orders. The inspection reviewed a sample of cases where Cafcass Cymru had involvement in secure accommodation applications. We found family court advisors added value to decision making in ensuring the voice of the young person was heard and represented. Family court advisors were instrumental in supporting children to attend court to meet Judges and have a greater understanding of the process.

2.9 Greater scrutiny from family court advisors of transition planning arrangements would assist improved outcomes for children who are subject to secure applications. In some case files reviewed, we saw evidence of family court advisors advocating the young person's wishes and appropriately challenging the robustness of planning for the child.

### **3. The quality and effectiveness of leadership and governance at an operational and strategic level**

Operational leadership is strong and produces consistently effective local delivery of services and good-quality practice with children, families and the family court. Cafcass Cymru works with local partners to deliver an effective family justice service. Leaders drive continuous improvement so the local service is highly effective. Partnerships are supported by transparent and rigorous governance between Cafcass Cymru and key statutory, private and voluntary organisations. Shared priorities are clear. There is active involvement with the local family justice board. The heads of service and senior management teams have a comprehensive knowledge about what is happening at the 'front-line'. There is regular review of the added value Cafcass Cymru is making to children's lives. Evidence is provided to support this. They oversee systematic performance management and monitoring that demonstrates rigorous and timely action in response to service deficiencies or new demands.

Leadership and governance arrangements are strong and combine to produce consistently effective strategy and good-quality services for children, families and the family court. Leaders promote good outcomes for people and have effective relationships with National bodies to promote the interests of people in Wales. Cafcass Cymru works with partners to deliver a consistent and high-quality service. Leaders drive continuous improvement so that the organisation is consistently effective. Partnerships are supported by transparent and rigorous governance between Cafcass Cymru and key statutory, private and voluntary organisations. Shared priorities are clear. There is effective engagement with the national family justice board, Ministry of Justice and local authorities. There is a clear and up-to-date strategy for commissioning and developing services that meet the needs of children and families in line with the courts' expectations. The Chief Executive and senior management team have a comprehensive knowledge about what is happening at the 'front-line' and use this to influence the development and management of the organisation. They know the difference their services are making and how well they are delivering. Organisational development and the strategic improvement function have impact across the organisation. Cafcass Cymru challenges and uses its influence on practice elsewhere in the system to drive improvement.

3.1 Cafcass Cymru is proactively and effectively engaged with its key partners including local authorities, groups who represent children and adults, and relevant third sector organisations. Cafcass Cymru has an Advisory Committee which provides an effective balance of support and challenge to assist the organisation in delivering its strategic priorities and continuously improve. Senior managers had listened to advice from the FJYPB and worked with the FJYPB and partners to develop a child and young person's version of their annual report.

3.2 Senior managers have supported the development of operational leaders within the organisation and strengthened their involvement in strategic planning. Regular leadership group meetings enable practice managers to share ideas and discuss operational practice with the deputy chief executive and heads of operations. We

heard evidence of a change in culture, with operational managers being more aware of the organisation's strategic aims. There is improved flexible arrangement where local areas now assist each other in order to manage the increase in workload.

3.3 Workloads were viewed by staff members as manageable on the whole. It was recognised by senior managers there had been periods of increased demand which staff had managed well. Practice managers were recognised in working to ensure allocation was transparent and caseloads equitable. This system worked well overall however at times of high demand this is an area of increased pressure.

3.4 Cafcass Cymru had looked at ways of making improvements to the efficiency of the service and have recently successfully piloted a Safeguarding Enquiry Report initiative which involved training and mentoring business support workers to undertake the initial safeguarding work to improve efficiencies and support equitable caseloads. This pilot has been recognised for its innovation within Welsh Government and nominated for an award. In seeking to be innovative and work with others to improve outcomes for children we heard of Cafcass Cymru sharing administrative data as part of the development of the Family Justice Observatory for Wales and England. The Family Justice Observatory is established by the Nuffield Foundation to support the best possible decisions for children by improving the use of data and research evidence in the family justice system in England and Wales.

3.5 There was evidence of effective and continuous learning from a range of sources, including feedback from children, young people, families and front-line staff. Practice reviews and audits, stakeholder feedback, inspection findings and research informed service development and design. Cafcass Cymru has demonstrated it has a learning culture and has recently revised its policy in responding to complaints with an emphasis on early resolution and learning from hearing what people say. We saw evidence of complaints being investigated thoroughly and in a timely manner.

3.6. All offices have suitable rooms for staff to speak to families, which have been reviewed by the Family Justice Young People's Board (FJYPB) and updated to reflect recommendations made.

3.7 Senior managers within the organisation know its strengths and weaknesses well and can provide evidence of improvement over a sustained period. For example, the organisation has recognised that family court advisors do not routinely use summaries when coming to the end of their involvement with children. This is an area currently being looked at by strategic leads as a tool for reflection and to facilitate learning.

3.8 Managers are viewed by staff as approachable and there was a culture of frequent informal supervision. Cafcass Cymru has worked on developing its supervision policy and developing practice in this area to achieve improvements. It has recently begun practice review sessions utilising a strengths based model

to review and audit practice alongside practitioners. This was received positively by practitioners as a forum for reflective practice and continued development. Further work is required to embed supervision policy and the practice review process as part of its overall quality assurance, learning and improvement framework to ensure all workers receive consistent, formal good quality supervision and support.

- 3.9 From interviews conducted with staff members there was evidence of their commitment to achieving best outcomes for children. The majority of staff who provided feedback to us were happy working for Cafcass Cymru and felt valued and listened to. Workforce morale was good despite operational pressures, with the majority of workers saying that they enjoyed their work. The need to support workforce well-being has been highlighted by senior managers and have established a health and well-being project to support staff in recognition of the increasing demands.
- 3.10 Management oversight of practice was being improved through the implementation of a quality assurance, learning and improvement framework and a practice review process. The approach enabled a systematic way of assuring the quality of work and will enable an improved oversight of performance once fully embedded. There is no formal process for reviewing the quality of reports prior to court filing, however we heard of some practitioners seeking peer support or line managers to review reports and we heard how this was very much valued by workers.
- 3.11 There is a strong senior manager team who modelled good practice and the values of the organisation. Senior managers were visible and approachable and regarded highly by the organisation's employees and its partners.
- 3.12 Senior managers prioritise, identify and implement ambitious strategies in relation to the provision of family court social work services which influence and respond to the national policy agenda, driving improvement in practice. We heard positive messages from some of Cafcass Cymru's stakeholders who considered their communication with and understanding of the organisation had improved. Cafcass Cymru strives to be an ambitious and a learning organisation continually seeking to improve its practice and outcomes for children.
- 3.13 We found Cafcass Cymru was proactively and effectively engaged with the President of the Family Division, other senior judges, the Association of Directors of Social Services (ADSS) Cymru, Family Justice Observatory, Heads of Children Services and other key partners in the family justice system to assist in strengthening working relationships and promote best outcomes for children.
- 3.14 Communication was seen as effective across the organisation where staff felt listened to and valued. There were regular team meetings however attendance at these was seen as a challenge in light of court demands. We learnt that practice development sessions were arranged to support reflective practice and sharing good practice. Opportunities of learning events alongside other agencies and

local authorities may add value to the organisations' learning development and working relationships with partners.

- 3.15 The organisation is seeking to improve the learning and development offer through consultation with staff and recent establishment of a senior learning and development manager. Cafcass Cymru has good links with universities and hosts and supports student social work placements, along with being involved in research and learning initiatives with Cafcass England. We heard evidence of judges providing learning opportunities for practitioners in presenting workshop seminars and providing an overview during practitioner's induction period.
- 3.16 Cafcass Cymru had good working relationships with Cafcass England and ensured Welsh representation at national events and involvement in discussions in exploring improved outcomes for children involved.



## **Methodology**

### **Fieldwork**

We undertook 20 days of fieldwork activity which included four days in each five local areas of the organisation: South Wales, South West Wales, Mid and West Wales, North Wales and Gwent.

We selected case files for tracking and review from a sample of closed cases. In total 50 case files were reviewed; of these 30 were followed up with tracking interviews with family court advisors. We reviewed a total of 82 reports; of these 26 were public law reports, 51 were private law reports and 5 good practice examples provided by the organisation.

We observed practice of safeguarding enquiry officers, family court advisors and where possible met with children, parents and carers. In total we observed practice on 39 occasions.

We interviewed a range of Cafcass Cymru employees, senior officers and the chief executive.

We interviewed a range of partner and stakeholder organisations.

We interviewed members of the Family Justice Young People Board.

We reviewed 63 staff survey responses.

We reviewed 15 Local Authority Children's Services' survey responses.

We reviewed supporting documentation sent to CIW for the purposes of the inspection.

We looked at a sample of 15 complaints and responses that were made about Cafcass Cymru.

### **Inspection Team:**

Lead Inspector: Sharon Eastlake. Supporting Inspectors: Ann Rowling, Kate Young, Mike Holding, Sian Roberts, Tracey Shepherd and Sara Hubbard.

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