



Cafcass Performance and Quality Committee Minutes
Monday 11 March 2019, 11.00 - 13.30
Cafcass, Piccadilly Gate, Store Street, Manchester, M1 2WD

Present

Stuart Smith, Board Member and Chair
Fay Selvan, Board Member and co-Chair
Deep Sagar, Cafcass Board member
Joanna Nicolas, Co-opted Board Member (via video conference)
Mandy Jones, Cafcass Board Member (via video conference)
Catherine Doran, Board member (attending as an observer)

In Attendance

Teresa Williams, Director of Strategy
Anji Owens, Assistant Director
Christine Banim, National Service Director
Nicola Blakebrough, Corporate Strategist
Stacey Gill, Family Court Advisor (for item 4)
Carla Thomson, Practice Supervisor (for item 4)
Jo Sewell, Service Manager and Child Exploitation Champion for A4 and A5 (for item 4)
Melanie Carew, Head of Legal Services (for item 6)
Joanna Furlong, Senior Policy Adviser, Private Family Law, MoJ (via telephone conference)

Apologies

Paul Grant, Cafcass Board member
Caroline Corby, Cafcass Board Member
Anthony Douglas, Cafcass Chief Executive

MINUTES

1. Welcome and Apologies

The Chair welcomed everyone to the meeting. Apologies were received from Anthony Douglas, Paul Grant and Caroline Corby.

2. Declarations of interest

There were no new declarations of interest.

There were no matters arising.

3. Minutes and Actions

The minutes of the Committee meeting held on 14 January were agreed as an accurate record. The Committee reviewed the action log and noted the progress of actions.

4. Practice Presentation on Child Exploitation

The Chair welcomed Family Court Adviser Stacey Gill, Practice Supervisor Carla Thomson, and Service Manager and Child Exploitation Champion Jo Sewell to the meeting to provide a presentation on child exploitation (CE) which included two case studies.

The number of child sex offences had seen a considerable rise of 20% in the past year in Yorkshire and Humber and the UK had seen a 15% increase in reporting of offenses. Cafcass is improving its Child Exploitation screening tool which is designed to spot signs of child exploitation and to keep a continuing 'risk record' and to identify push and pull factors. In practice the tool can help focus discussion with young people who do not consider themselves to be exploited. The Committee requested that the CE screening tool be shared for information.

Case studies were provided of children who demonstrated different levels of understanding regarding CSE, with some victims being aware of their own direct involvement in CSE to children who had normalised their relationship with their perpetrator. It was noted that more needed to be done to raise awareness of male victims as incidents were likely to be underreported.

CE priorities include sharing and cascade of learning and development, both internally and with external partners; using quarterly diversity and inclusion meetings to share practice tips and dilemmas; building on established links with Local Authorities and be aware of their in-house procedures and practices and making use of the Cafcass Practice Experts. The Board noted that Cafcass had a designated expert on County Lines and staff had access to an e-learning package on the impact of gangs.

The Committee queried whether there were different tools for CE and CSE and whether these should be a single tool. The National Service Director updated that the tools available to support practice were being reviewed to ensure they remain productive and to streamline where possible and that the Family Justice Young People's Board had been consulted on the Cafcass tools for exploitation. It was noted that the Croydon Safeguarding Children Board review provided a sufficient example of how child exploitation had become contextual.

The Committee requested that the evaluation of tools and their use in practice be brought back to a future Committee meeting once completed.

Action 1: The Committee would be sent child exploitation screening tool used by staff for information.

Action 2: The evaluation of tools and their use in practice would be brought back to a future Committee meeting.

5. Family Justice Board National Conference (Oral Update)

The Director of Strategy updated the Committee on the Family Justice Board National Conference held on 5 March 2019. The conference was well attended and focussed on issues surrounding Public Law. Attendees were well dispersed amongst Local Family Justice Board representatives which encouraged integrated thinking. The Director of Strategy and a member of the FJYPB provided a presentation on mechanisms for obtaining feedback from young people to gain input from young people on a national level. The President of the Family Division commended the impactful contributions made by the Chief Executive during his tenure.

6. Freedom of Information Annual Report

The Head of Legal Services presented the Freedom of Information (FOI) Annual Report. Cafcass had received 194 requests for information under the FOI Act during 2017-18 and 148 requests during the period quarter 1 to quarter 3 in 2018-19. There is an increase in FOI requests which can largely be attributed to an increase in serial requests from a small number of applicants and the volume of requests created by these applicants. In serial requests the application of the repeated/vexatious request exemption is considered however, each request must be considered on an individual basis. Given that the number of serial requests continues to rise, it is likely this exemption will be applied more frequently in the future, though each request will be considered on an individual basis. The Committee queried whether increased awareness around parental alienation had contributed to the rise in FOI requests and were informed that some requests had been received but they were less than was expected.

The Head of Legal Services noted that there was a 77% increase in Subject Access Requests (SARs) during Q1 to 3 of 2018-19 compared with the previous year. The significant increase in the number of SARs can be attributed to the changes brought in by the GDPR which include the reduction in the timeframe for providing responses (from 40 calendar days to one calendar month) and the removal of the fee which data controllers could previously charge individuals for responding to a SAR. SARs were becoming increasingly complex as any information on children's data had to be thoroughly risk assessed before it could be shared.

The Committee were informed that the [Disclosure Log](#) publishes previous responses to enable public access to information disclosed to others. There was no statutory obligation to do this and is intended to help reduce the number of FOIs. There is no evidence that the log is enabling a reduction in FOIs and due to workforce capacity it had not been updated in the several months. Recruitment for an Information Assurance Manager to absorb the increased workload was in place. Cafcass continue to publish all required information on its website, unless it is assigned an appropriate exemption standard.

The Committee agreed that the FOI report would be presented on an annual basis with the same structure of data.

7. Performance Report

The Assistant Director (AO) presented the Performance Report and outlined the key themes of the paper.

The year to date public law care application demand shows an overall decrease of 3.2% when compared to the same period in the previous year, and a 6% decrease when compared with the same period in 2016-17. Private law demand continues to rise, with Cafcass having a 3.4% increase in the number of applications received compared to the same period last year and a 9% increase when compared with the same period in 2016-17. Stock of open private cases has decreased by 1.7% compared to January 2018.

KPI performance remains strong with all KPIs in Green for the year to date. The average active caseloads have increased slightly to 21.4 cases (February 2019) from 20.8 (August 2018). The complexity of work required for cases has increased.

The Committee expressed concern that staff caseloads were higher in Cafcass than local authorities where these were on average 17 cases. The National Service Director reassured

the Committee that the average caseload for staff was 20 cases which was reasonable for experienced social workers. The local authority caseload is lower as the role is usually more complex. The Committee noted that the use of Cafcass Associates continues to help absorb the increased demand and that currently Cafcass had 152 Associates and there was no maximum number.

An Operational Planning day would be held to identify how areas of pressures could be relieved and take recommendations to the Corporate Management Team on the national position. The Committee noted that there continued to be a finite resource in the sector and that it was difficult for some staff with a public law background to make the transition to working in Private Law and that having single practice roles was beneficial to manage the quality and value of resources.

7. Strategic Plan Dashboard and Strategic Risk Register

The Committee took note of the Strategic Plan Dashboard and Strategic Risk Register for Quarter 3. The residual risk relating to private law demand and workforce capacity continued to be assessed as high. The National Service Director informed the Committee that a national audit on the use of experts would be undertaken to better understand the use of experts in cases over the last 6 months and whether it was appropriate and added value. The outcome of the national audit would be reviewed at the 20 May Committee meeting.

The Committee suggested that the departure of the Chief Executive should be included in the risk register.

Action 3: The national audit on the use of experts would be reviewed at the 20 May Committee meeting.

Action 4: The departure of the Chief Executive should be included in the strategic risk register.

10. Any Other Business & Forward Planner

The Committee were informed that the Serious Case Reviews and Serious Incident Notifications would now be reported on an exceptions basis but that the annual lessons learned would be reported on an annual basis.

Agenda items for the May meeting would include a presentation from the Family Justice Young People's Board on the topic of resilience and the Ofsted action plan and framework.

There was no further business.

DATE AND TIME OF THE NEXT MEETING: Performance and Quality Committee – Monday 20 May 2019, 11.00 – 13.00

Actions Summary

Action 1: The Committee would be sent child exploitation screening tool used by staff for information.

Action 2: The evaluation of tools and their use in practice would be brought back to a future Committee meeting.

- Action 3: The national audit on the use of experts would be reviewed at the 20 May Committee meeting.
- Acton 4: The departure of the Chief Executive should be included in the strategic risk register.