



Board Meeting 14 October 2021

CEO headline messages with senior leadership team





- I. Covid-19 Overview JT
- 2. The numbers and our demand in context JT
- 3. Prioritisation regional updates and the balanced scorecard JC
- 4. Performance and Accountability Framework progress update (improvement) JC
- 5. Realigning service areas JC
- 6. Workforce Strategy retention and payrate comparisons AB
- 7. Sickness absence draft proposals AB
- 8. Winter Leadership conference AB
- 9. Operating Framework and Policy Reference Group TW
- 10. Complaints review TW/JC
- II. Serious Incident Reports SP
- 12. Seeing children SP/JC
- 13. Together next steps following Practice Week SP
- 14. Principal Social Worker update SP
- 15. Domestic Abuse learning and development plan SP
- I 6. Budget JB
- 17. Annual Report and Accounts TW

Covid-19 Overview

- I. Programme board continues to meet
- 2. Other than maintaining office arrangements to minimise close contact our business is as usual. Return to in person work still increasing though consideration regarding attendance at court is required given caseload pressures
- 3. Prioritisation a key item for review and decision every week .
- 4. Planning for an organisation after COVID 19 with new ways of working now being tested including with business services officers evaluation in September 2021
- 5. People data absence and turnover
- 6. Morale and demand remains front and centre our live discussions are helpful and focused conversations with our staff. Service managers remain compromised with oversight volumes, supporting the frontline and expectations about future change and improvement. We need to review what is possible and realistic . Dedicated 'think in' planned
- 7. Quality of practice and seeing children remains a leadership priority. 96% of children seen have a recording c 70% in person (4.10.21)
- 8. Trades unions are actively engaged
- **9. Family Justice System** under pressure but Cafcass feels to be carrying a disproportionate weight. Need to consider how well understood our fragility is in the context of volumes remaining high with slower throughput and the potential reduction in judicial sitting days
- **10.Visible leadership very important** vlogs, blogs, live events, think ins a different sort of connection together that comes from isolation and continued uncertainty
- 11.Weekly communications about Covid -19 related decisions and questions still important Managers receive on a Monday and all staff on a Wednesday

The numbers...

- I. Number of children and families with <u>proceedings open to us remains unmanageable</u> <u>without urgent action in at least two regions where the prioritisation protocol is</u> <u>triggered with another region triggering the protocol in mid-October. Volume of</u> <u>open work remains close to record levels</u> due to reduced capacity and backlogs in the family courts and demand restored to pre – pandemic levels in private law.
- 2. There were **35,861 open active cases for Cafcass as of the end of September 2021,** compared to 30,136 at the end of March 2020 (+19%).
- 3. <u>There is 19% more active work (+5,725 cases / ~10k more children) compared to end</u> of March 2020. By type of proceedings, this means there is 13% (1,520) more open public law work and 23% (4,205) in private law.
- 4. Case durations continue to increase and therefore negatively influence caseload levels. Public law s31 proceedings now average 44 weeks and Private proceedings that go beyond the first hearing 53 weeks. R16.4 cases in private law have increased to 90 weeks.
- 5. Private Law pre-first hearing (EIT) cases are +25% (+1,853 cases) when compared to end of March 2020 snapshot.



- I. System throughput remains compromised, there are still fewer disposals than before the pandemic and the system is opening more work than it is closing. Between 1 April 2020 and 30 September 2021 Cafcass has opened 93k new cases and closed 87k cases, leading to the additional 5.8k cases and 10k children on active cases.
- 2. Workloads for Family Court Adviser (FCAs) remain high : work after first hearing is 21.6 sets of proceedings, with 61.4% of qualifying staff holding > 20 sets of proceedings with known future work. For private law case work before the first hearing, active caseloads average 47.1 due to increased delay in hearings and high demand
- 3. More than I in 4 FCAs carrying 'above threshold' caseloads in our non-EIT teams (>25), increasing to more than I in 2 for FCAs working in EITs (>40)
- 4. Duty allocations at 1,719 2,750 children close to highest since CAP in 2014. This is absorbing 25% of our service manager capacity. We are concerned about their well being and our ability to oversee practice safely. This is a significant factor in the decision to activate the prioritisation process in some areas.
- 5. Practice supervisors carrying on average 16.2 sets of proceedings, of which 83.3% they are the lead allocated social worker. This is close to a full caseload and means support and oversight at the frontline is almost completely diminished.
- 6. In terms of system capacity at Cafcass long term teams are at **87% saturation**. This means there is little headroom to allocate more work.

Our demand and pressures in context

- I. In the year to date _ April September 2021 demand for public law has decreased by 9.5 % compared to the same period in 2020 and Private law decreased by 1% compared to the same period in 2020. This results in an overall reduction in new proceedings of 3.5%
- 2. We have **35,861 open active cases** (c57,000 children) this is **5,725 cases (10,000 children)** more than I April 2020 I 3% more public law and 23% more private law work is open **see slide 2**
- 3. However demand is only a part of the context
- **4. Durations** on all cases are longer resulting in more work and repeat work 44 weeks public law, 48 private law if there is work beyond the first hearing we will be looking at how to make the best use of 'inactive time'
- 5. Completing proceedings the number of cases concluding in courts is still lower (about 18%) than it was before the pandemic
- 6. Volumes of section 7 reports after first hearing in private law have increased by 32% this year and addendum reports by 25%
- 7. Our **staff turnover** in some places is higher than it was, which means that work cannot be allocated as quickly whilst new FCAs build up their learning and experience

Our demand and pressures in context (2)

- Because we have ~10000 more children in our system that we did in March 2020, we have had to take action as a leadership team in partnership with the Cafcass board to protect the well-being of our colleagues and to prioritise the effectiveness of our work with children and families. We have had to be much more thoughtful about a caseload ceiling.
- 2. As a starting point, we set this at 25 in work after first hearing and 40 in work before the first hearing (EIT). This is not a fixed or inflexible number but depends on many factors discussed between FCAs and their managers.
- 3. The **impact of protecting frontline caseloads is significant** because the children and their casework have to be managed somewhere
- 4. Our additional ~10000 children
- ✓ About 43% (2600 cases or 4200 children) are allocated to permanent FCAs . We have 110 more since March 2020
- About 29% (1800 cases or 3000 children) are allocated to locum FCAs. We have 98 at the current time. Our pre pandemic numbers were between 14 and 30
- About 27% (1600 cases or 2500 children) are allocated EITHER substantively to Practice Supervisors and Service Managers (400 cases) or are held on duty (1100 cases)
- ✓ Allocation hubs are holding about 165 cases (262 children)

5. Our challenge now is to reduce the additional ~10000 children back down to the pre – pandemic numbers. Whilst we are working out ways to do this, we need to ask MOJ to resource us for the number of staff we have now BUT in addition to help us to restore our management capacity so that lead allocations are not with practice supervisors or service mangers AND that the additional work on duty is allocated to new FCAs.

Prioritisation - a regional update and our balanced scorecard headlines

Prioritisation (at 01/10)

- 2 regions have activated prioritisation and opened allocation hubs supporting 3 service areas: I. Birmingham, the Black Country, Shropshire, Worcestershire, Staffordshire and Herefordshire; 2. Coventry and Northampton; and 3. Greater Manchester
- 2 more service areas have challenge meetings arranged this month: 1.West Yorkshire; and 2. Cheshire and Merseyside
- Covid Board recently agreed for challenge meetings to be held for an additional 2 service areas; I. South Yorkshire and Humberside; and 2. London Private Law

Balanced Scorecard highlights (28/09)

- $\circ~$ Demand change in private law varies from +200% to -32%
- \circ Number of duty cases varies from +150 to 15
- \circ $\,$ Days to allocation varies from 28 to 4 $\,$
- $\circ~$ Service Managers holding duty cases varies from 53 to 5
- Practice Supervisors holding over 12 children's cases varies from 100% to 14%
- FCA saturation varies from 104% to 74%
- FCAs holding over 25 children's cases varies from 61% to 12%



Realigning service areas and re-apportioning the budget for 2022/23

- A full review of proportions of work, resourcing levels and demand pressures is planned but will not be implemented before our next Ofsted inspection
- For now, we are undertaking 2 adjustments:
 - I. A realignment of 3 service areas to achieve a more equal share of accountabilities and challenges (the largest region held 16% and the smallest 7%). So, I.West Yorkshire (A5) is being transferred from RA to ME; 2. Leicestershire, Lincolnshire, Cambridgeshire and Rutland (A10) is being transferred from ME to CM; and 3. Surrey and Sussex (A16) is being transferred from RM to LG.
 - 2. We have developed a more detailed and comprehensive model for the apportionment of the budget to the regions. The financial consequences of the model (from -3.35% of budget equivalent +£200K to +4.69% of budget equivalent to +£270k) and how to make the adjustments without causing upheaval and disruption are under discussion in the AD Group and OMT before a proposal is considered at CMT in time for budget setting.

Performance & Accountability Framework - progress with improvement

- Our **performance framework** starts with **providing FCAs and managers with the knowledge and skills** they need to undertake a very complex and challenging job
- The next step is to set out our **expectations in policy and practice quality standards** being open and clear with staff, children and families and partners about what good looks like
- The next stage is providing sufficient managers and supervisors to undertake management oversight (compliance) and supervision that supports improvement in the quality of practice
- The final stage is having a **comprehensive, accurate and up-to-date data syste**m to identify shortfalls and trends at an individual, team, service area and regional level
- The **performance accountability framework** is built on 5 levels:
 - Regular 1:1s with practice leaders focused on strengths and areas for development consolidated in 6 monthly Performance & Learning Reviews
 - 2. Collective accountability, challenge and shared learning in the weekly AD Group and Monthly Operational Management Team
 - 3. The 6 weekly extended corporate management team focused on performance & learning
 - 4. The annual Practice & Leadership Review (P&LR) meeting focused on progress in delivering on the Regional Improvement Plan
 - 5. The annual Regional Performance Board
 - 6. Regular reports to our performance and quality committee (updates from P&LR as they happen) and Cafcass Board (annual improvement summary)

Regional Performance Board - 1 per year, per region

- ✓ Organisational scrutiny, challenge and support
- ✓ AD peer review, including partner and staff survey
- ✓FJYPB challenge
- ✓AD and Head of Practice self-assessment against regional improvement plan
- ✓ Practice presentations and focus groups
- ✓ Case quality assessment

Support to learning

- Annual learning conference in practice week
- ✓ Collaborative audits as learning
- ✓ Events in the Learning and Development calendar aligned to improvement priorities
- ✓Material for group supervision
- ✓ Interactive sessions on learning from Serious Incidents
- Live events and 'think ins' helping us think together
- ✓ Making good practice examples available e.g. letters to children

Corporate Management Team 6 weekly extended Performance and Learning meeting

Cafcass Board, Audit and Risk Committee/ Performance and Quality Committee – Improvement overview report x1 per year

Performance and quality committee submissions following P&LRs as they happen

Spotlight report ✓ Progress review on key issues ✓ Monthly at OMT following SAM investigation and action ✓ Reporting to CMT, the board and Committees

Practice and Leadership Review - 1 per year, per region

- AD self-assessment of impact and evidence of change in practice against leadership priorities and Practice Quality Standards
- Head of Practice self-assessment of progress against 5 national practice priorities and 3 regional improvement priorities

Informed by:

- ✓ Regional data dashboard
- ✓ HR, finance and Analytics input
- National Improvement Service analysis of quality of practice
- ✓ Head of Practice oversight and analysis of audit work – conducted in areas and against Practice Quality Standards
- ✓ Feedback from families and children e.g. through collaborative audit
- Director of Operations summary report to CMT: 1 per year per region assessment of performance and practice

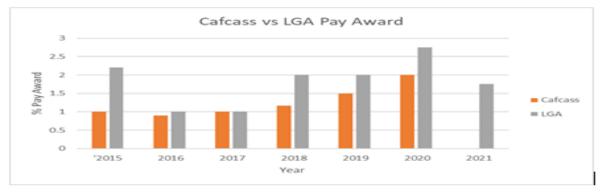
National Improvement Plan

18 priorities 2021/22:10 practice, 8 leadership and locally determined (up to 5) for each of the 8 regions

Derived from audit, family and children's feedback, complaints, learning reviews and serious incidents and safeguarding practice reviews

Workforce strategy - retention and pay rate comparisons

• Cafcass % pay awards lower than Local Authority, but overall pay rates remain competitive in majority of regions, including in London.



- Highest benchmarked external salaries are in London and SE. London Weighting remains effective, but areas around the capital are more challenging. Our own pay research correlates with external survey data (Community Care and Hays annual surveys).
- External salary benchmarks do not correlate with turnover rates. Lowest turnover rate by service area is in A17 Kent at 5.4%. Similar external examples in Surrey and Sussex where turnover also low at 6.8%.
- Exit survey data identify workload and career progression as being significant reasons for leaving. More detailed analysis underway, plus findings of staff survey in December/January to inform strategy.
- Cafcass roles and team structures do not align with local authority. FCA roles fairly unique in terms of requirement for advanced practice, but lacking supervision of experienced/qualified SWs. Team sizes are large/flat with senior roles relatively few.
- Range of options to improve total reward are being considered with detailed proposals to follow, looking at pay progression, retention and joining incentives

Sickness absence

• Sickness Absence overall is still lower than pre-Covid 19 levels (although it is noted that some aspects of sickness absence is seasonal and we are comparing different times of year).

12 Month Average Working Days Lost (AWDL)				
	Feb-20	Sep-21	Change	
Social Work	9.6	9.9	0.3	
Corporate &				
Professional	10.9	8.8	-2.2	
Overall	9.9	9.6	-0.3	

- However, we have currently been experiencing a recent increasing trend in sickness absence, particularly in relation to social work employees, although there are significant differences between Service Areas with some having very low levels of sickness absence.
- Sickness absence linked to mental ill health has increased in the past year and currently accounts for a significant amount of sickness absence for social workers (whilst decreasing for business services and corporate services):

Mental Health Work Sicknes Days		Ionth Lost
	Feb-20	Sep-21
Social Work	13.5%	17.8%
Corporate & Professional	15.5%	7.1%
Overall	14.0%	15.5%
	R	

Sickness absence - thinking ahead (2)

- To support our thinking about the management of sickness absence, a detailed report is being prepared for CMT so that we have a very detailed understanding about our current sickness absence including how managers are managing sickness absence, differences between short and long term sickness absence, reasons for sickness absence and reasons for differences between Service Areas so that recommendations can be made to the board for consideration - including whether any changes need to be made to strengthen our policies and procedures
- The analysis will include learning from managers in low and high performing areas
- Our updated Health and Wellbeing Strategy which is an integral part of the People and OD Strategy is also due to be launched which includes additional support around mental wellbeing

Winter Leadership Conference

Leadership Conference taking place on 9th December - Virtually Attendees Tiers I- 4 tiers 211 of both people and specialist mangers

Aims



Sign up to new Cafcass leadership behaviours



Recognise how they influence engagement and improvement in teams



Commit to an action plan for their own development



United Cafcass - Increase cohesive links



Three Main Themes

- New Leadership Behaviours
- High level Staff Survey Results What do they say? What do we need to do?
- Leadership through change and transformation
- Plus external leadership speaker
- Plus themed break-out workshops



Our operating framework and policy reference group

- Operating Framework first launched in 2012 numerous subsequent changes and additions e.g. domestic abuse pathway
- More recent changes Child Impact Assessment Framework and Together for Children and Families have been more fundamental: Most content is now held in our policies and guidance – e.g. policy on engaging with and seeing children, which was published earlier this year and clearly sets out our expectation for meeting with children in person.
- All Operating Framework content has been reviewed and migrated to a new suite of policy and guidance documents which will replace the Operating Framework, from end October
- Internally:
 - Practice Policies and Guidance are being made available on a dedicated Connect (intranet) page for Cafcass staff, with a hyperlinked table mapping previous Operating Framework content to its new destination
 - \checkmark A news story and reminders for staff in advance of the switch-over removal date
 - A Cafcass Policy Reference Group has been established to provide stronger governance processes for updating policies, ensuring clear implementation and evaluation plans for key changes, in addition to Equality Impact Assessments for new policies.
- Externally
 - The Operating Framework will be removed from our website and replaced by updated policies relating to our practice for children, families and partners.
 - ✓ A note explaining where our updated suite of policies can be found and where the content from each section of the Operating Framework can be found.

Complaints review - update and overview

- Complaints review work was paused due to illness of lead for the work. Now being led by Strategy
 Directorate who will undertake a 'critical friend' review, building on the earlier work.
- What? To design an 'issues resolution system' that is trusted as independent; has 'no wrong door'; works restoratively with families to resolve issues in a timely and proportionate way; enables Cafcass to listen and learn from people's experiences, not just their complaints; captures and analyses learning and has clear reporting mechanisms.
- Why? Demand and delay: we are receiving 150-200 complaints for investigation per month, compared to around 100 a year ago. In the year to date (April-Sept) we completed 636 complaint investigations, with 34% completed within our 15 working day timeframe. The longest delay for a complaint investigation to be allocated was 54 days, with the manager then having 15 working days to complete the investigation. Efficiency and Effectiveness: some aspects of the process could be strengthened, such as resolving issues earlier, better use of technology to help collate, analyse and capture learning; and to build on best practice from other organisations.
- How & When? A project group, co-chaired by Director of Strategy and Director of operations, will develop, test and implement recommendations from the external consultant in 2 phases. Mandy Jones will be the Board representative.
 - Phase I (by March 2022) improved handling of complaints under existing policy, and updated policy drafted
 - Phase 2 (by September 2022) migration to new service implementing revised policy.

Serious Incident Reports - update

A review of the Serious Incident process has been undertaken to provide confidence that the process enables understanding among all leaders as to the actions to be taken when information about a significant incident is received. It aims to ensure a proportionate response, that those who need to know are informed in a timely way and that decisions are made at appropriate seniority. The key changes that have been made from the previous process are as follows:

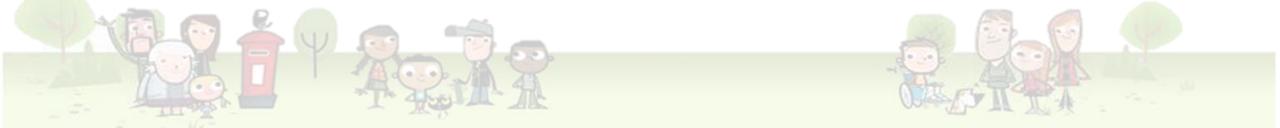
• The Child and Family Serious Incident Response process and the Non-Child related Serious Incident response process have been integrated into one combined process. This is because the previous arrangements of having separate processes resulted in inconsistencies and risks of missed opportunities for response and learning

• The new Guidance and updated Significant Incident Response form makes the stages of the process and accountability for decision making clearer

• The criteria for a National Improvement Service (NIS) Review following a serious incident have been set out clearly. This is because we intend to strike a clearer balance between local learning/change and situations where a national review is required

Serious Incident Reports - (2)

- The timescales and purpose of NIS reviews have also been clarified. This is because we aim to ensure they consistently make the relevant analysis of strengths and areas for development in practice that are required.
- The Guidance and new documentation on Learning Reviews makes clear that the purpose of the Serious Incident Response process is to learn as an organisation. This is because we want to be as explicit as possible that we intend to avoid any sense of individualised blame but we want to change practice in response to learning and feedback
- New documents have been added as additional resources: Practice Guidance for supporting FCAs when a child has died or has been seriously injured, The Learning Review Guidance and draft meeting agenda, Form for notification to Ofsted, DfE, Cafcass Board and MoJ
- The new suite of documents will be launched at a workshop on **16 November 2021** and impact will be evaluated in parallel with testing of the automation of the process, with the intention of improving efficiency and effectiveness of learning



Seeing children - an update

- As restrictions ease it is our priority to see children in person when this is in their best interests BUT, workloads currently mean we have to prioritise seeing those children most in need and at risk rationales seek to be clear to the child, their family and the court and recorded contemporaneously
- As at 21 Jun 2021 **95.9% of children with open cases were recorded as having had a meeting** with their Family Court Adviser, with **70% of children having had a 'seen in person'** record added
- This is an increase from 45% with an in person meeting in May 2021
- Our focus remains on ensuring all children have a record of the engagement with them, on the quality of the interaction, that they have a say about how the engagement occurs, and that the rationales for the decisions regarding, timing and method of meeting are recorded
- To support the practice and the policy on child engagement we are working on Management Practice Quality Standards and we are undertaking a dip sample audit into the decisions taken for children in public law proceedings not to have a meeting in specified timescales
- We continue to investigate and formally manage the process for the children for whom there is no record of being seen and to seek and test the rational



Principal Social Worker Update

Quality and effectiveness	Impact of proceedings on children
Together for Children & Families (Transformation 1)	New private law model (Transformation 2)
Evidencing the impact of improvement	Practice spotlight on seeing and engaging with children
Domestic Abuse - Practice Improvement in proceedings	Understanding children's unique experiences
Management oversight and supervision - maximising impact	Children knowing what to expect and what is happening in their proceedings and outcomes
Learning from serious incidents and success	Writing our plans, records and reports for children
Performance and Accountability Framework- holding ourselves to account	Sharing recommendations with children
Feedback framework – feedback is the oxygen for improvement	

Together for children and families – after practice week

When?	What?
The week after	The Corporate Management Team discussed the feedback from Practice Week, allocating director and Heads of Profession leads for three key areas: Practice improvement, System and process development and Use of practice materials. We also filtered out 'wicked issues' for CMT discussion and debate for presentation back at a live event later in the month
Live event in the same week	Sharing some headlines from feedback, setting out next steps to some of the most challenging questions. Launch of the art gallery for 'Together'
In the next two weeks	We will provide a summary of Practice Week and share with you some of the positives and strengths of the week – four sider summary in development with National Improvement Service
21 st October	A leadership live event to begin answering some of the most challenging questions – the 'wicked issues'
November (date TBC)	Leadership live event to respond to questions and observations about practice
December (date TBC)	Leadership live event to set out process issues and responses

Improving our work in proceedings featuring domestic abuse and our learning and improvement plan update

- The Domestic Abuse Practice Pathway and Guidance has now been published
- The Cafcass Domestic Abuse Learning and Development Programme began in May and training is underway.
 948 frontline staff and managers have attended the first training session out of 1,882, and 438 are booked on to attend. All staff are due to complete the training by March 2022. Feedback from attendees about what they will do differently in their practice as a result of the first training session included:
 - "I will consider this training, especially the survivor videos when dealing with all families where domestic abuse is a feature. I found them very powerful and impactful."
 - "The training has assisted me in gathering more insight into the impact of domestic abuse, the use of language I use in my safeguarding letters and recognising the indicators of potential harm."
 - "Understanding how trauma impacts on the brain and to adapt interviewing and being mindful of this was a key learning point for me."
 - \circ The training will further increase my consideration of the enduring impact of domestic abuse upon children

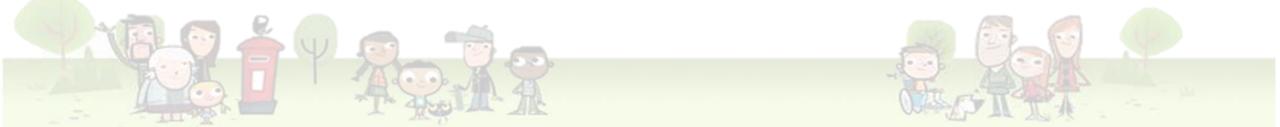
Improving our work in proceedings featuring domestic abuse and our learning and improvement plan update (2)

- A webinar series has been established as part of the programme, starting on 13 October 2021. Webinars will be co-hosted by external experts including those with lived experience of domestic abuse and/or the family courts
- The training focusses on the needs to move away from an incident led understanding of domestic abuse, and instead adopt a pattern based understanding of domestic abuse and how this is experienced by children. This point was emphasised in the recently published 4 Appeal court judgements
- Course objectives are being written to capture what difference this will make to a child e.g. This course will help
 me to understand the harm you and your parent might be living with, including harm that might be caused to
 you by an adult who is very controlling
- Evidence of regional successes and challenges in implementing the improvement plan of the Learning and Improvement Board is being collated and reviewed



Budget 2021/22

- Our August 2021 management accounts show spend of £57.4m against year to date budget of £58.2m. This reflects changes in the profile of spending with the forecast of spend to the end of the year above remaining budget.
- Our latest forecast for the year is an overspend of £2.7m. This reflects the crystallisation of pressures previously reported together with the additional authorised overspend aligned to our prioritisation protocol and associated allocation hubs.
- We are in discussion with the MOJ on the resource implications of securing agency social workers to (at least) the end of the financial year and bringing in further resource to release the management capacity currently diverted in to holding children's cases.
- We await the MOJ instructions on preparations for the Spending Review and associated allocations process.



Annual Report and Accounts 2020-21

The Annual Report was reviewed by the Audit, Risk and Assurance Committee (ARAC) 8th October

- The report now requires confirmation of certification from the National Audit Office (NAO) and will be signed by CEO and Board Chair on Monday 18th October
- We are confirming our lay date with the Ministry of Justice and expect it to be on the week commencing 25th October. This will be published on gov.uk and on our website alongside the young person's version of the report
- To meet regulatory requirements, we will share a final version of the ARA at the January public board meeting

