



Cafcass Board, Open Meeting Minutes
Thursday 30 January 2025, 13.30 – 15.30
70 Gray's Inn Road, London

Present

Catherine Doran, Board member
Catharine Seddon, Board member
Dal Babu, Board member
Helen Jones, Board member
Joanna Nicolas, Board member (Co-opted)
Mandy Jones, Board Member
Peter Fish, Board member (Chair)
Rohan Sivanandan, Board member
Steven Cox, Board member

In attendance - Cafcass

Jacky Tiotto, Chief Executive Officer
Julie Brown, Director of Resources
Rehana Hanif, Deputy Director for Operations and Improvement
Gemma Gerrish, Deputy Director for Operations and Improvement
Marie Gittins, Deputy Director Special Projects
Sarah Parsons, Deputy Director Special Projects
Jen Skila, Chief People Officer
Julia Dark, Head of CEO Office
Merryn Hockaday, Head of Communications
Shabana Jaffar, Head of Legal Services
Helen Johnston, Assistant Director - Policy
Barry Tilzey, Assistant Director – Performance and Quality Assurance
Dawn Goodwin, Assistant Director – Principal Social Worker
Nicola Blakebrough, Corporate Manager (Secretariat Services)
Iman Hashim, Executive Assistant (CEO Office)

In attendance Ministry of Justice (MoJ)

Luke Taylor, MoJ

Family Justice Young People's Board (FJYPB)

Helen Lee, Head of Practice
Olivia Twiss, FJYPB representative
Reeya Thind, FJYPB representative

Apologies

Sally Cheshire, Chair
Eileen Munro, Board member and Deputy Chair

1. Introduction from the Chair

Peter Fish, Board member, welcomed everyone to the meeting and advised he would be chairing the meeting due to Sally Cheshire (Chair of the Board) being unable to attend. Those observing the meeting via Zoom were welcomed.

1.1 Welcome and apologies

Apologies were noted.

1.2 Declarations of interest

Dal Babu, Board member, informed the Board of his appointment as Board member to the London Policing Board

1.3 Minutes, actions and matters arising.

The minutes from the previous meeting held on 17 October 2024 were approved as an accurate record. The Board were satisfied with the completion of actions. There were no matters arising.

2. Family Justice Young People's Board Report

The Family Justice Young People's Board (FJYPB) representatives updated that Helen Lee had joined as the Head of Practice.

The FJYPB contributed to the Taking Me Seriously programme of videos. The first and second videos 'Letting you know how we help' and 'Sharing Recommendations' had been completed and published. Planning was taking place for the third video.

FJYPB members continued to co-chair the 'Living with and experience of domestic abuse practice reference group' (with SafeLives) to ensure the voices, needs and interests of children and young people who experience domestic abuse were listened to and were influential in further developing and improving practice.

The FJYPB had met with local authorities to promote the voices of children in public law proceedings and the current recruitment campaign for FJYPB members was focused on children and young people with public law experience as this was currently underrepresented.

Reducing delay in the family courts remained a key priority and the FJYPB had met with partners such as the President of the Family Division, Cafcass, His Majesty Courts and Tribunals Service (HMCTS), Local Family Justice Board (LFJB) Chairs network to review and challenge key stakeholders on their actions to reduce delay. FJYPB members had also attended National LFJB conference in December 2024 and shared the Safe Family Time Guide, joined the question and answer panel and led a workshop exploring how LFJB's could include the voices of their local children and young people.

The next Voice of the Child Conference would take place on Thursday 31 July 2025 as a virtual event and attendance was encouraged.

The Chair thanked and recognised the FJYPB for their important work.

3. Chief Executive Officer's Report

The Chief Executive Officer introduced the report and noted that contribution would be provided by members of the Corporate Management Team.

Part 1: Demand, performance and operational practice:

The Chief Executive Officer reported that demand had increased by 0.9% for the period April-December 2024 and there had been an increase in public law demand by 2.1% (247 children's cases) and an increase in private law demand by 0.4% (114 children's cases). Regional variation continued, as exemplified in Cornwall, Devon and Somerset (A8) in which there had been a 7.8% increase in demand. On average 217 new children's cases were received per working day.

Social work caseloads had reduced further with an average of 18 cases for long term teams (in public law and work after first hearing in private law) and in work to first hearing in private law this was 32.5. As of January 2025, 5.5% of Family Court Advisers had a caseload of over 25 cases. The desired average caseload threshold would reduce from 25 cases per practitioner (in long term teams) to 20. The link between caseload and the quality and effectiveness of social work practice was acknowledged. It was emphasised that an average of 20 cases did not mean practitioners were assessing 20 children as often there was more than one child per case.

The Chief Executive Officer reported on the measures set by the National Family Justice Board. There had been a 22.9% decrease in children in long running proceedings of 52 weeks or more. This equated to 8,716 children (5,182 children's cases) whose cases had been open for 52 weeks of which 2,635 children (1,608 cases) had been open for 100 weeks or longer (as of end of December 2024).

At the end of December 2024, 3,457 private law children's cases (5,368 children) were 'court ready', meaning Cafcass had filed a report and there was a hearing listed in the next 6 weeks. There were also 1,270 private law children's cases (1,958 children) with a hearing listed for 6 weeks or more in advance. This equated to a substantial number of children who were ready to have their proceedings heard. At the end of December 2024, the overall number of open children's cases (27,657 cases and 44,653 children) had reduced by 6.5% compared to the end of December 2023.

The average children's case duration had reduced in both public and private law compared to the same period in 2023.

It was acknowledged that whilst there had been a substantial increase in both introduction letters and sharing recommendations compared to the same period in 2023, the aim was to achieve 100% to enable children to understand the proceedings they were involved in. At the end of December 2024, 96.6% of children (in applicable cases) had a completed child engagement record, with 92.3% seen in person. For children in public law proceedings, 60.1% of audited files showed personalised introduction letters were sent and for children in private law proceedings this was 78.7%. In public law recommendations were shared with children in 73.7% of children's cases and in private law this was 72.7%.

From 1 April to 31 December 2024 4,178 reflections (feedback) had been received from children and families via audit or the Digital Feedback system. 70% were scored positive (or no response scored). Feedback from families describing experiences that were less than good were shared with local managers for follow up on and there had been a significant and intended rise in local quality and impact audits that were collaborative between the manager and the practitioner.

Prioritisation – London and Essex

The process of prioritisation was initially implemented during the Covid-19 pandemic as a response to handling the increased number of children's cases in specific regions and aimed to provide effective oversight of cases by allocating public law and high risk private law cases. Cases were regularly reviewed for safeguarding issues and families received regular contact whilst they waited to be allocated a Family Court Adviser. If the risk to children increased during the waiting period then the case was allocated.

Essex & Suffolk and London private law were currently under prioritisation and formed two of the five focus areas for the National Family Justice Board which resulted in formal consideration for resourcing and multi-agency planning. Key issues within the system consisted of delays within the court system; recruitment and retention of staff across the courts, Cafcass and the judiciary; and the inability to allocate children's cases due to lack of social work capacity. The Cafcass Deputy Directors for Operations and Improvement were also reviewing the two areas to identify any further actions that could be taken to assist with the exit from prioritisation.

It was noted that due to the size of the London area a different approach was required and the MOJ representative advised that additional funding had been provided to HMCTS to provide more sitting days (as seen in the Wandsworth court which had been set up to assist with the backlog of private law cases). A London family strategy had also been launched in December 2024.

Domestic abuse – a new policy

The Domestic Abuse Practice Policy had been updated and reissued in January 2025 following feedback on the policy which had been originally released in September 2024. The policy provided clear guidance for practitioners on how to assess what was safe for child and adult victims of domestic abuse in family court proceedings and future arrangements. All managers and practitioners were required to attest to the policy as well as attest to the updated Child Safeguarding Policy. The guidance made it clear when a 16A risk assessment was required to be submitted to the court and when a referral should be made to the local authority. If a Family Court Adviser believed a child was at risk or in an unsafe situation then a children's safeguarding referral was to be submitted to the local authority.

Practitioners were required to assess previous proceedings, all incidents or reports of domestic abuse and criminal histories when making recommendations to the court. In public law the local authority was the corporate parent and therefore was required to make the assessment which was subject to scrutiny by the Children's Guardian. Evaluation of the new policy would take place via focused quality assurance, including a targeted audit and feedback reviewed from adults and children where domestic abuse was a factor in their proceedings. Whilst the child safeguarding policy made it clear as to when to escalate a child's case with the local authority it was questioned whether the same clarity on escalation processes for other agencies was provided. It was agreed that the Corporate Management Team would assess whether clarity for escalation processes with other agencies (other than local authorities) were required.

Public law practice improvement priorities

The public law practice improvement priorities had been adjusted and refreshed and were overseen by the Performance and Quality Committee. The core of the priorities was quality assurance, feedback and the experience of children and families during proceedings. Eight key priorities had been agreed:

1. further analysis of harm and risk when reunifying children under 2 years old.
2. increasing the quality of engaging with children throughout proceedings.
3. improving the quality of case planning and sharing recommendations with children and families.
4. continued reduction in delay to meet the Public Law Outline.
5. reviewing the impact of short notice applications on practice and children's experiences.
6. strengthening the challenge of care plans and that they were in the best interest for children.
7. improving the working relationship with Independent Reviewing Officers.
8. relating to children subject to a Deprivation of Liberty application/order – further engagement with children and regular reviews of exit plans and working with partners to improve experiences for children subjected to a deprivation of liberty order.

It was noted that there continued to be an increase in the number of Deprivation of Liberty applications and there was a need for a cross system approach for children with risk factors (such as exploitation/mental health issues etc.) which contributed to them becoming the subject of a Deprivation of Liberty orders as Cafcass' role in this was limited.

Private law improvement priorities

The Board was informed that the Private Law Improvement Programme consisted of 7 workstream priorities and that domestic abuse had been removed from the programme, into a dedicated improvement programme, and replaced with a focus on 16A risk assessments and children's safeguarding referrals. The subject had been selected following feedback from the Domestic Abuse Practice Policy launch in September 2024. The use of 16A risk assessments was clarified and that these were not to be used to challenge the court's decision and that there was guidance on this process. All other existing workstream priorities remained unchanged and the Chair of the sub-Committee commented the focus on the impact for children and families within the priorities was key.

Part 2: And in other news

Mid-year reviews

The Board noted that the mid-year reviews had been completed and provided the opportunity for Directors to scrutinise the performance of Operational Service Areas. The reviews had evidenced continued improvement against the national improvement plan priorities however with some variation within Operational Service Areas and individual teams. The reviews also acted as and enabled a refocus on the improvement priorities. The future format of the report would be adjusted so that Assistant Directors provided a self-assessment report per region rather than per Operational Service Area, this would result in 8 reports as opposed to 19 Operational Service Area reports (as there was currently).

Recovery and Improvement Board

The Recovery and Improvement Board met fortnightly with the senior leadership team and the MOJ in attendance. The Board operated on a 6 weekly cycle reviewing 11 performance domains across operations; resources; and productivity and change. The cycle enabled further scrutiny of regional variation and for action to be taken accordingly. A report to the Board would be provided once the first full cycle had completed.

Legal services update

The national rollout of transparency in the family court had commenced on 27 January 2025. The aim of transparency was to increase understanding and confidence in the family justice system and all family courts in England and Wales were now able to permit accredited journalists and legal bloggers to report on children's cases. Guidance had been issued to Cafcass colleagues on how to prepare and deal with media reporting. It was confirmed that a transparency order was different to a disclosure as it did not name the Family Court Adviser. However, the press could apply for disclosure to name the Family Court Adviser and this would be considered on a case by case basis as the details/identities of the family and their safety were to be prioritised and protected. The FJYPB had been consulted as part of the subgroup process and raised concerns over enabling individuals in the cases to be identified. Whilst learning was encouraged, transparency was not intended to promote a blame culture. The Chief Executive Officer gave assurance that Cafcass practice would not change in transparency cases.

Sharing Recommendations'

The second film in the 'Taking Me Seriously' programme was shared with the meeting – the topic of the third film was 'Sharing Recommendations' and was a collaboration with the FJYPB.

Part 3: People & Workforce

The Chief People Officer reported that the permanent workforce headcount remained static and there continued to be variations across recruitment and retention in different service areas and teams. The turnover of staff had reduced and stabilised and further work would take place to assess the new starter and leaver profiles as well as a focus on the new induction processes. Whilst sickness absence had improved long term sickness had a significant impact on capacity. Interventions had been introduced in areas with high levels of sickness absence and the effectiveness of this would be assessed. The future People and Operational Development Strategy would be aligned to the Cafcass Strategic Plan.

Part 4: Priorities in the next period

West Yorkshire had been selected and announced as the next Pathfinder test pilot area and would launch in June 2025 whilst the Mid and West Wales expansion would commence in March 2025. The practice model being used in the Pathfinder pilot in Birmingham was being implemented in Dorset and all three test areas would use the same practice model. The learning and good practice identified during the Pathfinder pilot was influencing national practice across the organisation. It was necessary to identify a way to mitigate the risks associated with the increased pace of assessments potentially reducing the quality of practice and management oversight as well as improving practice whilst seeing more children and operating under two practice directions.

There was discussion on how Pathfinder affected the wider family justice system and the partners that Cafcass worked with. The MOJ were required to submit a business case for the further expansion of the Pathfinder pilot and this acknowledged the effects on the wider system. It was suggested the FJYPB were consulted with determining the success measures used to assess the impact of the pilot.

Action 1: Corporate Management Team to assess whether clarity for escalation processes with other agencies (other than local authorities) are required.

4. Reports from Committees

Audit and Risk Assurance Committee

The Committee had last met on 5 December 2024 and had reviewed the Annual Report and Accounts prior to it being finalised and laid before Parliament. The surplus in pensions (previously reported to the Board) was addressed. The Committee also looked at internal audit reports including complaints, risk report, the 6 monthly information assurance report, business continuity report and the IT security report with regards to Cafcass' handling of sensitive data.

People Committee

The Committee had last met on 9 December 2024. The recruitment of the Consultant Family Court Advisers and Senior Service Managers role was recognised as a substantial achievement. There would be further development of the Social Work Academy with regards to impacting future recruitment and retention. The Committee were updated on the impact of change on staff – a topic which had surfaced from the previous staff survey – and a Pace and Change group had been set up as a result. There would be a refreshed Equality, Diversity and Inclusion strategy as well as the People strategy being aligned to the next Cafcass Strategic Plan for 2026-29.

Performance and Quality Committee.

The Committee had last met on 12 December 2024 and had discussed the Strategic Progress Report which included the highlight reports on the practice pillar, the practice reference group and the private and public law improvement programmes. The revised priorities for public law were presented. The Committee also received a report on feedback and learning and the performance and quality data set. There has been an improvement in practice quality and reducing delay however, regional variation remained.

Private Law Improvement Programme Sub-Committee

The Committee had last met on 9 January 2025 and discussed the progress report and a deep dive into workstream 7 private law mapping. It was agreed to pause the mapping exercise pending feedback on the proposed new mapping template as an alternative way to undertake the workstream. It was also agreed to remove domestic abuse from workstream 2 as this was a standalone improvement programme and would be overseen by the Performance and Quality Committee. The workstream was replaced with a focus on 16A risk assessments and child safeguarding referrals. The Committee would assess the criteria for how workstreams would be considered business as usual and therefore would no longer require oversight from the Committee.

5. Annual Report and Accounts 2023-24

The Director of Resources reported that the Annual Report and Accounts was a formal requirement and had been laid in Parliament in December 2024 and published online. In agreement with Ofsted the self-evaluation had formed part of the Annual Report and Accounts. The child-friendly version of the Annual Report and Accounts was noted and appreciated. It was highlighted that other Cafcass policies and documents are not converted into a child-friendly version due to resource and capacity.

6. Governance Reports

6.1. Finance Report

The Board noted the finance report and the ongoing need to prioritise spending carefully to prevent spend exceeding the control totals.

6.2. Risk Report

There had been no substantial change to the risk environment which remained high with Pathfinder deemed a fundamental risk. Five principal risks continued to be assessed as significant: Risk to Children; Demand, Delay & Capacity; Staff Retention & Attraction; Change Infrastructure; and Reputation.

6.3. People Report

The workforce measures had been presented earlier in the meeting. The next People Committee meeting would take place on 15 May 2025.

7. Close and any other business

The Chair thanked attendees and observers and reminded observers that questions could be submitted in advance of the meeting. The next meeting would take place on Thursday 1 May 2025.

Action summary

Action 1: Corporate Management Team to assess whether clarity for escalation processes with other agencies (other than local authorities) are required.

Minutes approved by the Board Chair, Sally Cheshire, 01.05.2025

A handwritten signature in cursive script, reading "S Cheshire".