

Cafcass Public Board Meeting

Chief Executive and Corporate Management Team
Overview

30 January 2025



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And our second ‘**taking me seriously**’ animation



Part 1: Demand, performance and operational practice:



Part 1: Demand, performance and operational practice:

April – December 2024: New demand and performance headlines



- **41,257 total new children’s cases featuring 63,494 children in the period; an increase of 0.9% (+362 children’s cases).** These cases comprised:
 - **Public law demand showing 2.1% higher** (+247 children’s cases / +10 children). ***Section 31 care applications have increased by 1.2% (+105 Care Applications / +60 children)***
 - **Private law demand showing 0.4% higher** (+115 children’s cases / +8 children) for which there were, **13,835 new section 7 reports ordered - a decrease of 7.5%** (-1,115 reports) within which there has been a **decrease of 574 (12.8%) addendum reports**
 - **217 new children’s cases per working day**
- **Regional variation remains**, for example, A8 (Cornwall, Devon and Somerset) and A12 (Birmingham, the Black Country, Shropshire, Worcestershire, Staffordshire and Herefordshire) have seen significant increases in new demand (+7.8% / +5.3% respectively) where A5 (West Yorkshire) and A16 have notable proportionate decreases (-9.1% / -4.2% respectively).
- **Social work caseloads have reduced further**. At the end of December 2024, for long-term teams the average is **18.0** (adjusted for full-time equivalent) (18.9 in December 2023). For work to first hearing teams in private law, the average is **32.5** (34.4 in December 2023). **In the last 3 months, 1,137 local audits were completed.** 88.3% of eligible Family Court Advisers had a local case file audit (undertaken for **858 Family Court Advisers** against 972 intended) and an additional 165 local audits were also undertaken as part of our national quality assurance framework.

Part 1: Demand, performance and operational practice:

Family Justice System Objective One: Ensure children and families have timely outcomes



1) Reduce the number of children in long running open proceedings:

- In the last year there has been a 22.9% decrease in children (2,586 fewer children) in proceedings lasting more than 52 weeks. At the end of December 2024, there were 8,716 children (5,182 children's cases) whose cases have been open for 52 weeks of whom 2,635 children (1,608 cases) open for 100 weeks or longer.
- In public law proceedings, there are 2,992 children (1,498 children's cases) whose cases have been open for 52 weeks, of whom 524 children (247 cases) have been open for 100 weeks or longer. This is a reduction of 22% (874) and 14% (86) respectively.
- In private law proceedings, there are 5,724 children (3,684 cases) whose cases have been open for 52 weeks, of whom 2,111 children (1,361 cases) have been open for 100 weeks or longer. This is a reduction of 23% (1,712) and 29% (859) respectively.
- At the end of December 2024, 3,457 private law children's cases (5,368 children) were 'court ready', meaning Cafcass has filed a report and there is a hearing in the next 6 weeks. In addition, where Cafcass had filed a report, there were 1,270 private law children's cases (1,958 children) with a hearing listed for 6 weeks or more.

Part 1: Demand, performance and operational practice:

Family Justice System Objective One: Ensure children and families have timely outcomes (2)



2) Increase the percentage of proceedings resolving within 26 weeks (1):

- In the latest reportable period for these measures (cases closed 1 July to 30 September 2024):
 - **Final decisions were reached in 33.2% of section 31 care proceedings in 26 weeks or less** (1,160 children). This is an increase of 6.1%pt (269 more children) compared to cases closed April to 30 June 2023
 - **Final decisions in section 31 cases overall took on average 40 weeks** (5 weeks lower compared to the same period last year)
 - **Section 8 child arrangements proceedings resolving in 26 weeks or less is 3.2%pts higher** (879 more children) at 60.0% (8,790 children) compared to the same period last year
 - In this period **Private law work completing at the first hearing took an average of 11 weeks** (1 week less than the same period last year)
 - **Where further work is ordered at the first hearing, this took an average of 56 weeks** (4 weeks less than the same period last year)

Part 1: Demand, performance and operational practice:

Family Justice System Objective One: Ensure children and families have timely outcomes (3)



2 (continued) Increase the percentage of proceedings resolving within 26 weeks (2): Filing and extensions

- **9.2 working weeks (average) to file in public law cases, 0.1 of a working week lower compared to the same period last year**
- **4.0 working weeks (average) to file safeguarding letters, 0.2 of a working week lower compared to the same period last year**
- **14.6 working weeks (average) to file section 7 reports, 0.1 of a working week higher compared to the period last year**
- **29.6% of section 7 reports extended beyond the first agreed filing date, 6.6% lower than same period last year**



Part 1: Demand, performance and operational practice:

Family Justice System Objective Two: Ensure the family justice system runs efficiently with the resources available



1) Reduce the number of open children's cases

- 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% (1,920 fewer children's cases / -2,998 fewer children) compared to the end of December 2023
- This represents a reduction of 4.8% for open public law children's cases (-553 children's cases / -1,205 fewer children) and a reduction of 7.6% in private law children's cases (-1,367 children's cases / -1,793 children)

2) Minimise loss of capacity, especially in social work

- At the end of December 2024, there were 1,491 employed Family Court Advisers and social work managers. We continue to rely on the capacity of our flexible workforce, including 57 locum Family Court Advisers and 89 active Cafcass Associates
- 12-month social work turnover is stable at 14.8%. In the last year, (1 January – 31 December 2024) 205 Family Court Advisers left Cafcass which is 2 fewer than the same period in 2023 and were replaced by the same Full time equivalent capacity
- 34.9% of Family Court Advisers working in public law / private law work after the first hearing teams have caseloads of 20+ (15 January 2025 / adjusted for full time equivalent), this an 7.2% reduction compared to January 2024. Just 5.5% now have caseloads of 25+ (15 January 2025), a reduction of 2.9% compared to January 2024

Part 1: Demand, performance and operational practice:

Family Justice System Objective Three: Improve the experiences of children and families in proceedings (1)



Improve children's understanding and ability to engage in their proceedings:

- At the end of December 2024, **96.6%*** of children on 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 letters of introduction had been **sent**– a 15.3% increase on the previous year
- For children in **private law proceedings**, **78.7%** of audited files showed personalised letters of introduction had **been sent** – a 10.5% increase on the previous year
- There has been **an increase in the percentage of public law children's files showing recommendations shared with children** from 63.5% in the same period in 2023 to **73.7%** in December 2024
- The percentage of **private law children's files showing recommendations shared with children** has **increased** from 52.0% in the same period in 2023 to **72.7%** in December 2024
- Please note that there has been a ~2% reduction in this figure due to a change in the expectations relating to children on R16.4 proceedings



Part 1: Demand, performance and operational practice:

Family Justice System Objective Three: Improve the experiences of children and families in proceedings (2)



Improve the quality & consistency of practice

- **In the year to date, (1 April to 31 December 2024) Cafcass received 4,178 reflections (feedback) from children and families from our audit or Digital Feedback system. 2,199 of these (52.6%) were positive, 721 (17.3%) had no scored response provided.** Feedback from families describing experiences that are less than good is shared with local managers for follow up and a decision as to whether a complaint or early resolution is required
- Learning from complaints and feedback often relates to children's cases where domestic abuse is a factor. Concerns relate to the quality of assessment and analysis undertaken by FCAs with adults saying their experiences were not well understood or described clearly to the court. Communication, case management, and case recording are the three most commonly identified learning points from complaints, involving frustration about information not being shared, inaccurate information, and a lack of understanding of what is happening
- Feedback is expected to be **incorporated in the form of adjusted improvement priorities** into regional plans and where there is a theme across more than one region, national priorities are adjusted so that the whole organisation is required to learn and report on progress
- **There has been a significant and intended rise in local quality and impact audits that are collaborative between the manager and the practitioner.** Of the 3,546 completed local audits in the year to date from 1 April to 31 December 2024, 62.3% public law audits and 67.1% of private law audits were collaborative

Part 1: Demand, performance and operational practice:

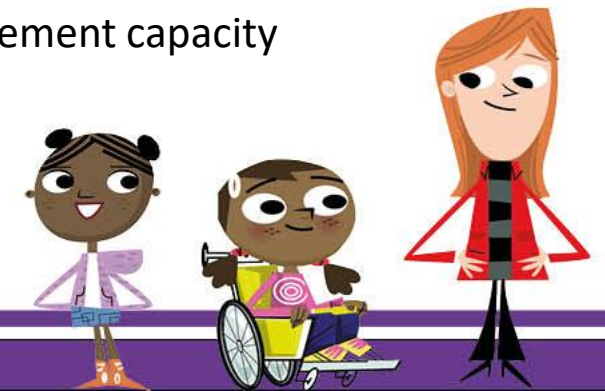
Prioritisation – *London and Essex*



- **Prioritisation is a response to the increased number of children’s cases in the region and Cafcass’ specific intention to protect practitioner and manager caseloads and to make sure that ALL public law work can be allocated as well as ALL high-risk private law children’s cases**
- There is a process for moving children’s cases out of an allocation hub if the risk of harm increases. Children and families have a single point of contact in these areas and there is fortnightly oversight of the work where children are waiting to meet their FCA
- There remain **two Operational Service Areas in prioritisation, Essex and Suffolk and London Private Law**. Essex and Suffolk since November 2021 and London in August 2023. Both are areas of ‘Focus’ for the national family justice board, meaning that formal consideration is given to resourcing and multi– agency priority planning.

Key issues that remain and are without solution at the time of writing include:

- Delays within the court system
- Recruitment and retention for Cafcass, courts, HMCTS and the Judiciary
- Inability to allocate new work to FCAs given their existing caseloads and compromised management capacity



Part 1: Demand, performance and operational practice:

Domestic abuse – a new policy



- **Issued in September 2024 and subject to review and reissue January 2025**
- To provide **clear expectations about what must be considered** by family court advisers, children’s guardians and Cafcass managers when giving advice to the court about what is **safe for child and adult victims of domestic abuse in family court proceedings and future arrangements**
- For some children, their **lived experiences are not understood or described well enough in reports to court** which can mean that arrangements are made for them that are unsafe
- The policy has been the subject of initial **attestation by all managers and practitioners**, alongside the **child safeguarding policy**. Other policies which align and influence advice and recommendations, include, **engaging with and seeing children, management support, supervision and oversight** and **engaging with family members and professionals**
- There is clear emphasis on **listening to children and adults** who have experienced domestic abuse, **improving assessments of harm or risk of further harm (Including the impact on all victims)** and **accurately recording and sharing with the court** what has been reported



Part 1: Demand, performance and operational practice:

Domestic abuse – a new policy (2)



- The policy makes clear when the court must be informed through a **risk assessment report**, that urgent action is required **to safeguard a child/ren**. Practitioners and managers must set out the action that the court needs to take, why it needs to take it and the evidence they have in support of making the submission. **These reports are known as 16A reports**
- There is clarity that **when a parent is living in a refuge with their child/ren**, if spending time arrangements with the other parent or violent adult have not been suspended, that the use of a 16A report must be made urgently to the court given the risk of harm to both the child and adult victim
- Where children are assessed by a family court adviser, children's guardian or Cafcass manager to be **suffering from or being at risk of harm, a referral is required to the children's service for the local authority** where the child is living. This must be followed up within one working day and a **16A report made to the court in parallel**
- The **review of previous proceedings, all incidents or reports of domestic abuse and criminal histories** of any parties are required to be set out to the court, with a **clear account of how these are taken into account in the advice** about arrangements for children. The **significance of harm to children from adults who have served prison sentences, are being investigated for or who have already been convicted** of a sexual or violent offence is to be assessed and reported to the court in all applications to spend time or live with a child.



Part 1: Demand, performance and operational practice:

Domestic abuse – *a new policy (3)*



- In **public law proceedings, the local authority as the corporate parent** for the child/ren in proceedings will make the assessment of children’s safety in family time. This is the subject of scrutiny by the child’s guardian who will report to the court about the safety of those arrangements
- As with all Cafcass policies – there is an intention to respect and to try to **hold in balance the independence of court appointed family court advisers and children’s guardians and the statutory duties on Cafcass to secure the safety and best interests of children in proceedings**
- To **evaluate the effectiveness of the new policy and to review improvements in practice**, we intend to undertake some focused quality assurance – including targeted audit and feedback from adults and children where domestic abuse is a factor in their proceedings.
- The intended initial review period is **November 2024 – May 2025**



Part 1: Demand, performance and operational practice:

Public Law practice improvement priorities (1)



Adjusted priorities for **reporting to performance and quality sub-committee** include:

- 1. Reunification of children under 2 years:** management oversight, analysis of harm and risk, and visits to children throughout proceedings
- 2. Seeing and engaging with children:** Increasing the quality of engagement with children **throughout** proceedings
- 3. Case planning and sharing recommendations:** improving the impact of case planning so that the **rationales for recommendations are well understood** and are shared consistently
- 4. Delay for children and effective management oversight:** reducing delay, adherence to the **Public Law Outline** and using **management oversight** to further assure quality
- 5. Public law quality assurance : Target quality assurance activity** to review adherence to these priorities
- 6. Short notice applications:** review the **impact on practice and children's experiences**
- 7. Rigour and practice challenge:** strengthen the challenge of care plans in respect of the safety and best interest of children
- 8. Working effectively with Independent Reviewing Officers (IROs):** Improve the consistency and quality of engagement with IROs



Part 1: Demand, performance and operational practice:

Public Law improvement priorities (2) – Deprivation of liberty for children



Two further improvement priorities are introduced in respect of the Deprivation of Liberty of children:

- 1. Engagement with children: strengthen the engagement with children** during the time their liberty is restricted, review timescales and exit plans regularly and present children's experiences to the court at all hearings
- 2. Working with partners to improve the experiences of children whose liberty is restricted**



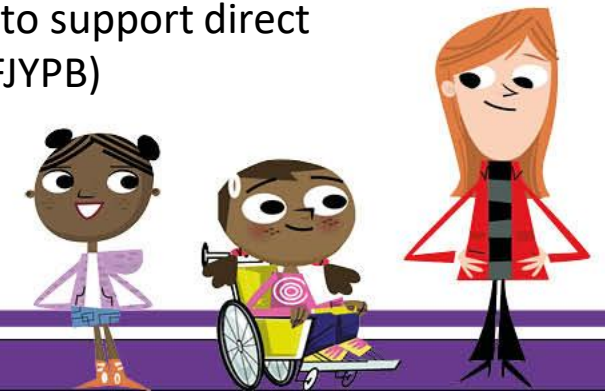
Part 1: Demand, performance and operational practice:

Private Law improvement priorities (1)

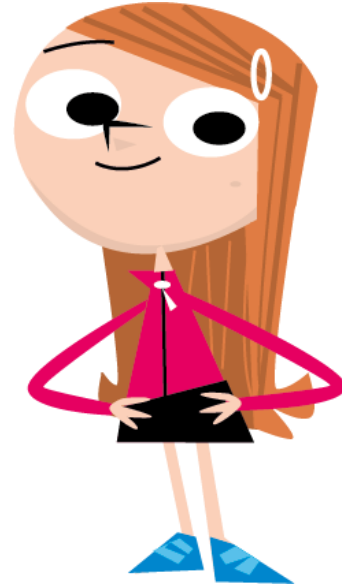


Adjusted priorities for **reporting to the private law improvement sub – committee** include:

1. **Reduce delay for children** - reduce the length of time it takes for children's proceedings to reach a conclusion
2. **'Don't leave me in this situation too long' - r16.4 appointments** - in complex private proceedings, guardians are appointed for these children. But they wait for the longest time – **an average of 107 weeks**
3. **Evaluate the quality, impact and effectiveness of action to protect children assessed as being harmed or at risk of harm** - review the quality of 16A Risk Assessments and child safeguarding referrals to local authority children's services, to understand the effectiveness of the revised child safeguarding policy - October 2024
4. **'Once and done' for section 7 addendum reports** - **reduce the number of repeat assessments** of children and families, including national variation in these rates
5. **'Taking me seriously' - making recommendations – providing** opportunities for children to give their views on recommendations every time and to report these to the court
6. **Developing and sustaining relationships with children** - making consistent use of resources to support direct work with children and families in partnership with the Family Justice Young People's Board (FJYPB)
7. **Reducing regional variation private law proceedings – reviewing and comparing key case milestones** in all court areas to challenge delay and to improve performance



Part 2: And in other news...



Part 2: And in other news:

Mid-year reviews: *learning and improvement from 8 regions and 19 operational service areas (1)*



- **Mid-year reviews are integral to Cafcass' Performance and Accountability Framework and ALL 19 Operational Service Areas were reviewed, led by the National Director of Operations and Deputy Directors in November 2024**
- **Reports are being compiled for sign off** by the corporate management team at the beginning of February with adjusted improvement priorities to April 2025
- **All Operational Service Areas continue to evidence significant improvements** in practice and leadership against the national improvement plan priorities. Variations remain in some teams in respect of management oversight of practice, capacity due to vacancies and the assessment of harm and risk for children.
- **All areas need to make further improvement so that all children receive a welcome and goodbye letter and have an opportunity to have recommendations are shared with them with their responses reported to court. In addition, practice in respect of the safety of recommendations for children where domestic abuse is a factor needs to be more consistent and reducing delay must remain a priority**
- **End of year self – evaluations and progress against local improvement plans, staff well - being priorities and the annual staff survey** will be formally submitted for sign off at the end of April 2025



Part 2: And in other news:

Recovery and improvement board – *revised terms of reference*



Purpose: review of demand, performance and to challenge progress against recovery and improvement priorities

- Senior leaders from across the organisation attend fortnightly
- Chaired by Chief Executive
- Ministry of Justice attend in sponsor capacity
- Six weekly cycle reviewing 11 performance domains – Director and Deputy commentary with recommendations for action
- Quarterly overview to Cafcass board, commencing April 2025

Areas of focus - *data, trends, progress, reduced performance, outliers and qualitative reports*

1. Operational performance (demand, vital signs, throughput (workflows) and management oversight)

To note: Performance outliers in operational service areas and teams are considered and referred for action with progress reported at annual performance boards and quarterly performance and quality reviews

2. Resources directorate performance (vital signs, people, feedback and learning)

3. Productivity and change (prioritisation, productivity and efficiency, pathfinder progress, escalations from board and corporate management team)



Part 2: And in other news:

Legal services update – *transparency in the family courts*



- **27 January 2025** saw the national roll out of transparency in the family court. Pilot courts have been in operation since January 2023. The full implementation everywhere means that all family courts in England and Wales can now permit accredited journalist and legal bloggers to report on cases
- Cafcass has seen **significant national press interest in family proceedings where children have been seriously harmed or killed**. This includes most recently, the brutal murder of Sara Sharif where the existence of historic family proceedings and previous local authority involvement with the family was widely reported
- Interest from local journalists has varied across the pilot areas
- **Guidance has been issued** to practice staff on the approach to be taken if there is likely media reporting and how to prepare
- In most cases, the making of a Transparency order should achieve the **balance between protecting the identities and dignity of the children and families involved in proceedings whilst affording the wider public a better understanding of family justice**
- In cases where the press apply for disclosure of papers from proceedings, this could lead to public scrutiny of Cafcass staff and our wider role in the family justice system. We will be open to learning and dialogue (where this is in the best interests of children). We will **protect our practitioners and managers from unkind, aggressive and intrusive press and/or behaviour towards them.**



Part 3: People & Workforce



Part 3: People & Workforce

Work force: *overview and update Q3, 2024-25*



Workforce (Permanent and Flexible)

- Permanent headcount remains relatively static across the organisation, whilst some service areas and teams continue to face recruitment and retention challenges
- Positive progress has been made in appointing Consultant Family Court Advisors and Senior Service Managers to Operations as part of the planned reconfiguration of capacity and career progression opportunities
- Our use of locum social workers remains low and stable

Turnover and Retention

- There is a continued national decreasing trend in turnover. Further work is needed to assess our leaver profile and regional variation in the rates of turnover and ability to attract new social workers

Wellbeing and looking after our people

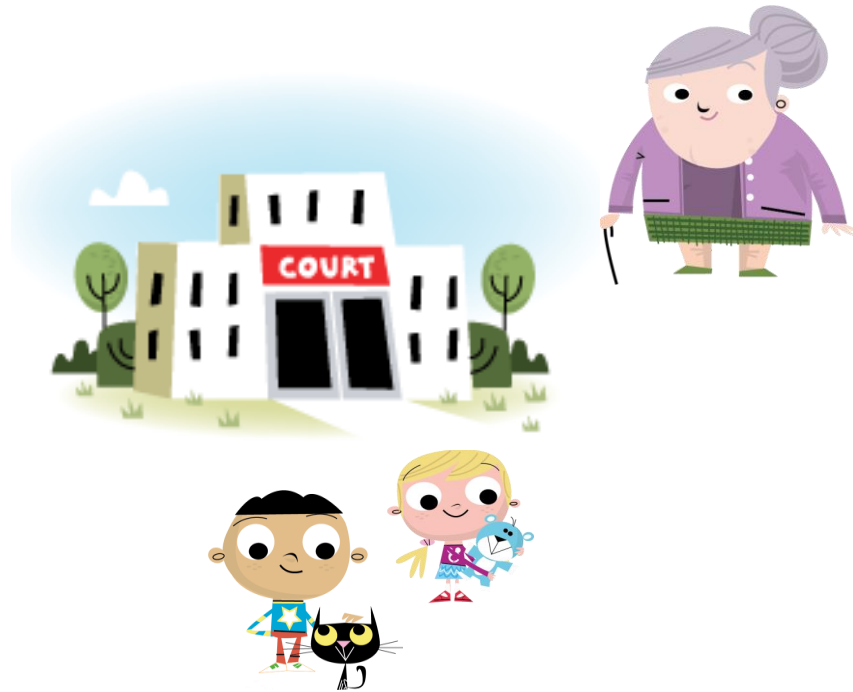
- Since a peak in February 2024, the 3-month average working days lost (AWDL) due to sickness has further reduced from 14.3 days to 10.25 days at 30th September 2024. A review of the sickness absence process and effectiveness is to be considered by Corporate Management Team in March 2025

Next Steps

- People strategy development to align workforce priorities to the strategic plan



Part 4: Priorities in the next period



Part 4: Priorities in the next period

Improving children's experiences in private law – Pathfinder court update

- **Funding for expansion to West Yorkshire** is due to commence in June 2025 and involves for the first time an entire Operational Service Area, covering 5 courts and 4 Local Authorities
- The **Mid and West Wales expansion** is commencing on 3rd March 2025 (Cafcass Cymru)
- The Cafcass practice model in Dorset is being aligned to the model of practice being tested in Birmingham. **All three pathfinder pilots will be operating to the same practice model**
- There is **significant learning** which will influence **national practice now and reform in the future**. This includes **understanding why the experiences of children and families in these courts is reported as improved, a higher proportion of section 7 reports (25%) being ordered to local authorities and increased support for victims of domestic abuse**
- Priorities include finding ways to mitigate the **risks associated with increased pace of assessments** reducing the quality of practice and management oversight **AND** improving practice whilst seeing more children and operating under two practice directions
- MoJ making the case for continued investment in **Spending Review to end 2028**
- **Resources for Cafcass operationally and in respect of implementing the programme** continue to require further significant discussion with MoJ as the model is tested



I feel that you are nearer to giving a better experience to victims of domestic abuse. You will have seen I had previously complained about how I was treated. This was a much better experience.

My biggest fear was not being listened to or believed. She (FCA) found the best solution to keep my children safe.



And our second 'taking me seriously' film

