



**Cafcass Board, Open Meeting Minutes**  
**Thursday 17 October 2024, 13.30 – 15.30**  
**70 Gray's Inn Road, London**

**Present**

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

**In attendance - Cafcass**

Jacky Tiotto, Chief Executive Officer  
Julie Brown, Director of Resources  
Jack Cordery, National Director of Operations  
Marie Gittins, Deputy Director of Operations  
Rehana Hanif, Deputy Director of Operations and Improvement  
Gemma Gerrish, Deputy Director of Operations and Improvement  
Julia Dark, Head of CEO Office  
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)  
Holly Earthey, Corporate Officer (Secretariate Services)

**In attendance MoJ**

Luke Taylor, MoJ

**Apologies**

Steven Cox, Board member  
Adam Bowles, Chief People Officer  
Merryn Hockaday, Head of Communications  
FJYPB representative (video message provided)

**1. Introduction from the Chair**

The Chair welcomed everyone to the meeting including those who were observing the meeting via Zoom and reiterated that questions could be submitted in advance and following the meeting.

### **1.1 Welcome and apologies**

Apologies were noted.

### **1.2 Declarations of interest**

No new declarations of interest were received.

### **1.3 Minutes, actions and matters arising.**

The minutes from the previous meeting held on 11 July 2024 were approved as an accurate record. There were no matters arising.

## **2. Family Justice Young People's Board Report**

The Family Justice Young People's Board (FJYPB) representative provided an update on the work of the FJYPB via video message. The FJYPB priorities continued to focus on improving children and young people's participation in and experience of their proceedings; the impact of domestic abuse on children and young people, expanding the focus of this work to include all types of abuse and harmful parenting; increasing awareness about family separation and change within schools; reducing delay in the family courts; and promoting the uniqueness of neurodivergent children and young people.

Items highlighted in relation to the priorities were the second video release for the 'Taking me seriously' programme, which provides children and young people with information on Cafcass, the court process, expectations of the process, engagement in their proceedings and where to access support. Work was continuing on the private law experience for children and young people under the Pathfinder pilot and roll out. The Safe Family Time guidance had been released for professionals to prioritise the child when considering family time and how to explain to children their family time was safe. Representatives of the FJYPB were meeting with the Ministry of Justice (MOJ), His Majesty's Courts and Tribunal Service (HMCTS) and other professionals to challenge stakeholders on reducing delay as a continued priority and not normalising delay. The FJYPB continued to co-chair the Domestic Abuse Practice Reference Group to assist in further developing and improving practice where children and young people are affected by domestic abuse.

The Voice of the Child Conference took place on 25 July 2024 which had a 57% increased registration rate from the previous year and delivered the Safe Family Time guidance as well as top tips for working with neurodiverse children and young people. The Board noted the Safe Family Time guidance release, how a child's complaint is upheld or not and the letter to the Independent Reviewing Officer (IRO) at the end of the proceedings. The Principal Social Worker advised an indirect contact guide was in development and there would be a discussion on defining indirect contact.

The Personal Social Health and Economic education (PSHE) resource was launched on 18 September 2024 for Key Stage 3 children and readily available for all schools. This was acknowledged as a huge achievement as the FJYPB had assisted in developing a school lesson plan to help teachers explore with children the impact of changes in families. PSHE did not feature on the core curriculum for Key Stage 2 however, schools had access to the resources to be able to use them with younger children.

The Board thanked the FJYPB for their continued work, passion and the impact they had on improving family proceedings.

## **3. Chief Executive Officer's Report**

The Chief Executive 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 was stable and down by 0.3% from the previous year and that Cafcass had received 23,016 children's cases featuring 35,270 children in the period 1 April to 31 August 2024. On average 211 children's cases were received per working day (compared to 220 in the same period in 2023). Social work caseloads had reduced: the average for long term teams was 18.5 children's cases (compared to 20 children's cases in August 2023) and for Work to First Hearing teams in private law this was 32 children's cases (compared to 38.7 in August 2023).

There had been a reduction in long running cases with a 21.3% decrease in children in proceedings over 52 weeks. There were 9,863 children in proceedings over 52 weeks of which 2,971 children had been in proceedings over 100 weeks. There had been an increase in the number of children's cases closing within 26 weeks (30.8% closed within 26 weeks, which equated to 1,660 children). Public law had a case duration of 42 weeks on average and in private law for Work to First Hearing the duration was 11 weeks and in Work After First Hearing this was 57 weeks, however, it was noted that Cafcass were not involved throughout the total timeline of proceedings. On average Cafcass filed reports in 9.2 weeks for public law, 4 weeks for safeguarding letters in private law and 14.4 weeks for Section 7 reports in private law. It was explained that when a safeguarding letter was ordered and undertaken, only parents were spoken to, and children were not seen (as per the practice direction). If further work was required to assess the welfare of the children, a Section 7 report was ordered by the court.

There had been a reduction in the number of Family Court Advisers with 25 or more children's cases (6.2% had caseloads over 25 in August 2024), however, it was important to acknowledge there were parts of the country where there were higher caseloads. Work well-being plans were in place in these areas and a framework for a balanced workload was to be introduced. There would be a more forensic approach moving forward as workloads would be measured by the number of active (rather than total) children's cases held. Retention was also linked as Cafcass did not rely heavily on agency staff. The turnover of staff was less than that at local authorities and it was noted younger people were joining Cafcass and looking for career progression (traditionally social workers joined Cafcass later in their careers). As a result, the Career and Learning Pathway had been introduced to provide progression and variation in roles.

98.2% of children in applicable cases had child engagement recorded with 94% of children seen in person however, the target was to reach 100%. It was questioned how this could be achieved and whilst there was a focus on seeing and engaging with children monitored via the Spotlight report it was not possible to reach 100% for reasons such as children who were abroad. However, a clear rationale was required to be provided on the child's file if they couldn't be seen. Recommendations had been shared with children in 71.1% in public law proceedings and 50.5% in private law. It was necessary for children to understand their proceedings and the National Director of Operations continued to highlight this as a focus with Operational Service Areas being held to account.

Of the 2,500 pieces of feedback received from children and families in the last 12 months, 54.4% were positive. Themes were identified in the negative feedback received and proactively worked upon. Culturally Cafcass actively sought feedback to learn from and quality assuring work also provided better learning. It was questioned whether positive feedback was received from children and negative feedback was received from parents who had not received their desired outcome. It was confirmed that further analysis of complaints and feedback was required to distinguish between those that were unhappy with the final decision and those who were unhappy with the process.

The National Director of Operations explained the rationale for launching the prioritisation protocol in London and that this was to assist with allocating the most pressing children's cases with welfare risks as well as safeguarding practitioners. Prioritisation affected all partners including the judiciary, HMCTS and local authorities and when partnership working was strong, and a reduction in demand and pressure on capacity had been achieved prioritisation could then be deactivated. The Norfolk court area had recently exited prioritisation with plans for Suffolk to exit too however, there were no plans for prioritisation to end in Essex in the near future. London was subject to other challenges within family justice and the MOJ was working with the judiciary to formulate a strategy to assist.

### *Complaints and feedback*

There had been a positive increase in feedback received however this had led to an increase in the number of complaints received. There had been 10 complaints from children who were encouraged to share feedback to advise us of when things had not gone right. Negative feedback was usually down to communication and learning from feedback was incorporated into significant incident reviews. Listen and Learn conversations were encouraged.

Professional behaviour was discussed and the impact of potential bias was recognised, for example if a social worker had spoken to one parent more than the other or sat next to one of the parents in court, this could be perceived as a bias. We are encouraging all staff to have an awareness of the impact of these behaviours and it was suggested for behavioural expectations to form part of the new induction process.

### *Domestic Abuse Policy*

The Domestic Abuse Policy had launched internally on 26 September and been published externally on 8 October. Learning from audit feedback, complaints and significant incident reviews had informed the policy. The policy provided a starting point for consideration of the presence and impact of domestic abuse rather than removing independence from social workers in their analysis and recommendations. All social work colleagues were required to attest to the policy. The policy had been positively received; however, it was recognised this was an internal policy and the impact of improvements in understanding domestic abuse across the wider system was yet to be seen.

The MOJ representative advised that domestic abuse formed part of the MOJ's ongoing contribution to the plans to reduce violence against women and girls and there was a higher profile and spotlight on the topic with the new government in place. The MOJ representative would provide an update on policy changes relating to domestic abuse at a future meeting.

Action 1: Further analysis of complaints and feedback was required to distinguish between those that were unhappy with their final case decision and those who were unhappy with the process.

Action 2: The MOJ representative would provide an update on policy changes relating to domestic abuse at a future meeting.

## **Part 2: And in other news**

### *Practice Week 2024*

The Assistant Director (Performance and Quality Assurance) reported on Cafcass' fourth Practice Week event that was held 26 September to 2 October 2024, which was Cafcass' opportunity to pause and to connect together as a single professional community and provided opportunity to invest time in embedding, developing and making further improvements to the skills and knowledge of staff.

It was reported that 85% of colleagues had been engaged in Practice Week, however, this figure was not static as those not able to attend the live sessions could watch the recordings of the sessions at a later date.

Domestic abuse had been a key focus during Practice Week and included hearing from a leading judge in conversation with the Chief Executive Officer, a learning session with SafeLives and time provided to read and attest to the new domestic abuse policy.

A highlight of the week was the sharing of 5 dedicated prints that Sir Quentin Blake had gifted to Cafcass. FJYPB members had revealed these to audiences – connecting them to Cafcass' Together values. Board member Dal Babu was thanked for arranging this.

The upcoming awards ceremonies and those nominated were acknowledged.

### *Legal Services Update*

The Domestic Abuse Protection Order pilot was due to launch at the end of November 2024 and intended to provide longer term and more effective protection for victims of domestic abuse.

The transparency pilot had been extended further to another 16 court areas and there had been no reports of the press breaching the protocol. It was anticipated a full roll out would take place in 2025.

The Public Law Working Group adoption sub- group was due to report (in November) following the consultation on its interim report published in September 2023. The report is expected to recommend a 'sea change' in the approach to adoption including increased post-adoption contact and a move towards open adoption where appropriate.

A regional Assistant Director attended the adoption sub-group and therefore the Board could share feedback with the Assistant Director that they wished to be passed on.

The Head of Legal Services noted a stakeholder question had been received in advance of the meeting which had been acknowledged and a written response would be provided after the meeting.

## **Part 3: People & Workforce**

### *Workforce overview*

The Director of Resources Reported that turnover of social work staff had decreased slightly to 14.5% in September 2024 (from 14.9% in June 2024). Recruitment issues remained in particular parts of the country as well in different law types. There was significant work in place to reduce sickness absence and there had been focus on managing and reducing sickness absence during Practice Week 2024. The annual staff survey would be launching on 12 November 2024.

### *Health and safety*

The Director of Resources thanked the Estates team for their work on safety for operational colleagues when attending court as well as across all Cafcass offices. A policy framework for managing unacceptable behaviour was under review.

### *Career and Learning Pathway*

Recruitment of Consultant Family Court Advisers had taken place between April and July 2024 with 109 now in post. The Consultant Family Court Adviser role provided an opportunity for operational colleagues who wished to progress their career into a non-managerial role. The second round of recruitment was planned for next year.

The recruitment of Senior Service Managers was underway with a planned start date of 1 January 2025. Senior Service Managers would continue to manage a team but also have additional development and leadership responsibilities.

### *Induction*

The National Improvement Service (NIS) and HR had worked to refresh the induction plan for new starters including reducing the number of e-learning materials to provide a more streamlined approach. New booklets had been designed and had been well received. Management had been provided with support and guidance with the transition to the new induction platform. In-person induction events would be introduced in the coming year and would provide an opportunity for new staff to connect with the senior management team as early as possible in their employment. It was commented that in-person induction would also provide the opportunity to discuss professional behaviours and what this meant in practice. It was suggested that learning was described as 'embedded' rather than 'attendance' (at training events) and therefore this needed to be demonstrated in order to successfully pass the confirmation period and be confirmed in post.

**Action 3:** The Assistant Director (Principal Social Worker) to ensure behavioural expectations are included in the induction programme.

#### **Part 4: Priorities in the next period**

##### *Pathfinder update*

The National Director of Operations reported that the principles associated with seeing children earlier in proceedings, strengthening an earlier assessment of harm and the risk of further harm, concluding matters more efficiently and holding child and adult victims of domestic abuse centrally in arrangements were fundamentally important and necessary in the administration of family justice. A safe roll out of Pathfinder would be required for both children and staff. The pilot taking place in Birmingham and Solihull provided the opportunity to identify the benefits, risks and funding required for a smooth transition from the existing Child Arrangements Programme which had been in place for over 10 years.

Cafcass had shared their risk log with the MOJ, HMCTS and senior judiciary and key risks included securing confidence in the evaluation of the pilots, establishing safe requirements for rollout and availability of sufficient funding for the transition process, which would require a period of double running. The pilots in Birmingham and Solihull had demonstrated that 6 months were required to prepare for the rollout, which included progressing the backlog of delayed proceedings; the appointment to key roles; negotiating and agreeing local protocols with key partners; and whole system training in the application of the new model of working. It had been agreed in principle that it would take up to 12 months to embed the new model.

Concerns were raised around currently having two systems in place (the current Child Arrangements Programme and the Pathfinder pilot) and the swift pace of the rollout. Currently Cafcass saw 30% of children, however, under Pathfinder this had increased to 60%. Whilst this was recognised as beneficial for children it was a risk to Cafcass in terms of resourcing as well as local authorities who received a higher proportion of children's cases under Pathfinder.

The MOJ representative advised the evaluation from the pilot in North Wales was expected in November. Concern was raised about whether the evaluation of the pilot in Dorset had observed repeat applications and proceedings as there was a concern families could still be caught in a repetitive cycle under Pathfinder. Further concerns were raised with regards to the travel and subsistence budget with the increase in seeing children who were potentially out of the FCA's county/local area and additional travel time required. The financial and time impact was being monitored.

The existing issue of Cafcass receiving applications with missing information had been amplified in the Birmingham pilot and had been escalated to the Director of Children's Services and the Chief Inspector. The impact of applications received with missing information was concerning and whilst this had become normalised over the years it was deemed unacceptable. It was advised 40% of applications received had missing or inaccurate information and it was essential for this to be addressed and resolved with HMCTS. The Chief Executive Officer advised that she had written to HMCTS in 2020 regarding missing information and the risk impact had been discussed several times

since, and this would be followed up. The Chief Executive Officer would provide the Board with an update on resolution and a breakdown of missing and inaccurate information.

*Ofsted*

A focused visit was expected in Spring 2025 with a focus on domestic abuse.

Action 4: The Chief Executive Officer to address the impact of applications received with missing information and provide the Board with an update on resolution and a breakdown of missing and inaccurate information.

#### **4. Reports from Committees**

*Performance and Quality Committee.*

The Committee had last met on 19 September 2024. The Committee discussed the Strategic Progress Report which included the highlight reports on the practice pillar as well as the improvement programmes (private and public law) and the practice reference group. The Committee also received the Feedback and Learning Report and the performance and quality data set. Regional variation between Operational Service Areas was highlighted and it was acknowledged that the Family Justice Board (FJB) target of no cases over 100 weeks by January 2025 would not be met, however, improvement had taken place and continued.

*Public Law Improvement Programme Sub-Committee*

The Board were reminded the sub-Committee had been a time limited Committee and the final meeting had taken place on 7 October 2024 with representatives of the FJYPB in attendance. The sub-Committee evaluated the work of the Programme, the remaining tasks and continuing workstreams as well as the effectiveness of the process. It was agreed the main challenges had been cultural change and change in the Programme lead. Learning from the success of the Programme would be incorporated into the Private Law Improvement Programme. The Assistant Director had provided a comprehensive final report and it would be discussed how this would be brought to the Board.

*Private Law Improvement Programme Sub-Committee*

The Committee had last met on 3 October 2024 and discussed the progress report and a deep dive into workstream 3 (16.4 appointments). Reducing delay for children in private law to reach the FJB target of no children's case duration to be over 100 weeks by January 2025 would not be achieved, however this was a system wide responsibility and not the sole responsibility of Cafcass.

*Audit and Risk Assurance Committee*

The Committee had last met on 12 September 2024. The Committee noted the risks associated with Pathfinder and the rollout of the pilot, as well as the annual report and accounts in which there was a surplus in pensions and this would be discussed with auditors. The safety of staff had also been discussed following the civil unrest in the summer.

Action 5: The Corporate Management Team to consider how to present the Public Law Improvement Programme sub-Committee closure report to the Board.

#### **5. Governance Reports**

*Finance Report*

The formal delegation of funding to the Chief Executive as Accounting Officer had been issued by the MOJ. Funding for the full pay award for Cafcass had been agreed by the MOJ.

*Risk Report*

Risks had been discussed and highlighted throughout the meeting and there was nothing further to add at this stage.

**6. Close and any other Business**

The Chair thanked attendees and observers and advised the next meeting would take place on Thursday 30 January 2025.

**Minutes approved by the Board Chair, Sally Cheshire, 30.01.2025**

*S Cheshire*