

# Children and Family Court Advisory and Support Service (Cafcass)

Inspection of Cafcass as a national organisation 2018

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Inspection dates: 2 February 2018 – 2 March 2018

<p>The overall judgement is <b>outstanding</b></p> <p>Cafcass leads effective services that meet the requirements for outstanding.</p>	
The quality and effectiveness of Cafcass private law practice with families	<b>Good</b>
The quality and effectiveness of Cafcass public law practice with families	<b>Good</b>
The leadership and governance of the national organisation	<b>Outstanding</b>
The leadership and management of local services	<b>Outstanding</b>



## Summary of key findings

Overall, Cafcass is outstanding because of the following.

- Exceptional, aspirational corporate and operational leaders work relentlessly to ensure that children and their families benefit from good or outstanding services. Shared priorities are communicated clearly. Listening to children, understanding their world and acting on their views are strongly embedded in practice in both public and private law. This is enhanced by the splendid work carried out by the influential Family Justice Young People's Board (FJYPB).
- Since the last inspection, the chief executive, together with the national service director and supported by an effective and active board, have worked diligently to develop and support a culture of continuous learning and improvement. Stability of leadership and strong aspirations to 'get it right' for vulnerable children are key factors in their success. The vast majority of Cafcass staff at all levels consistently provide excellent quality services for children, their families and the family courts.
- Cafcass's highly evolved and mature strategic relationships with its key family justice partners (Her Majesty's Courts and Tribunal Services (HMCTS), the Judiciary and the Association of Directors of Children's Services (ADCS) have led to creative and innovative services nationally and locally. The chief executive and the national service director are held in high regard. They work tirelessly, driving much needed development and reform to meet the increasing levels of demand.
- Cafcass practitioners' effective and authoritative practice adds value and leads to better outcomes for the majority of children. In the vast majority of cases, family court advisers (FCAs) and children's guardians provide the courts with cogent, well-balanced and analytical risk assessments. These help the courts to make child-centred and safe decisions.
- Strong, evidence-based and succinct reports minimise the need for experts. They also reduce delay and the need for further appointments. In a very small number of cases seen, delay in establishing children's views and progressing cases quickly enough was linked to poor case planning.
- Most direct work is well planned, done at the child's pace, and ensures that the child understands what is happening. Reports are enhanced by using the child's own words, resulting in the powerful voice of children informing recommendations to the court. Inspectors observed some highly sensitive, knowledgeable work in relation to a wide range of diversity issues.
- Performance management is a key priority. A rigorous, strength-based performance framework supports the delivery of good and outstanding services nationally and locally. Key strengths and areas for development, identified accurately in Cafcass's self-assessment, are used to inform both management understanding of the quality of practice and individual staff development. Senior managers have clear plans in place to help staff improve the consistency of

performance learning reviews (PLRs)<sup>1</sup> and case planning, and to ensure that relevant diversity issues are fully considered.

- Strong governance arrangements are firmly in place, augmented by a culture of professional accountability and respectful challenge at every level across the organisation. Cafcass has successfully implemented a model of proportionate<sup>2</sup> working to address demand on services. Despite having high workloads, staff who spoke to inspectors felt extremely positive about working for an organisation in which they are treated well, as professional adults, and their views and needs are important and highly valued.
- The national business centre (NBC) is exceptionally well-managed, effective and efficient. This means that Cafcass's services for children benefit from the support of a coherent and expertly coordinated range of centralised systems. Business services and social work staff are skilled and committed.

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<sup>1</sup> Cafcass's quarterly review of staff performance or the performance of a local team or service area.

<sup>2</sup> Cafcass's framework sets out a model of proportionate working. This has been in place since 2010.

## **What does Cafcass need to improve?**

- Further improve the quality of recording in case plans and contact logs to ensure that management direction is explicit and prioritised.
- Strengthen the consistency of management recording in performance and learning reviews (PLRs) to ensure that areas for development are clearly articulated and evaluated.
- Fully implement the system to monitor the quality of work when practitioners step down from self-regulating their own work.
- Ensure that reports to court consistently explain when issues of diversity are not relevant to the application.

## Information about Cafcass

1. The Children and Family Court Advisory and Support Service (Cafcass) is an executive non-departmental public body accountable to the Secretary of State in the Ministry of Justice (MoJ). Cafcass's statutory responsibility in England is to safeguard and promote the welfare of children<sup>3</sup> who are involved in family court proceedings.
2. Cafcass's principal functions, as set out in the Act<sup>4</sup> in respect of family proceedings where the welfare of children is or may be in question, are to:
  - safeguard and promote the welfare of children
  - give advice to the family courts
  - make provision for children to be represented
  - provide information, advice and support to children and their families.
3. Cafcass's professionally qualified social work practitioners, called family court advisers (FCAs), work exclusively in the family courts. Cafcass provides the judiciary with the advice, information and recommendations they need to make a safe decision about each child's future.
4. When children are subjects of an application for care or supervision orders by local authorities (public law), FCAs act as 'children's guardians'. The local authority can apply to the court for various types of care and protection orders. The role of the children's guardian is to safeguard and promote the child's welfare and to scrutinise the local authority's plan and ensure that it is in the child's best interests. FCAs are involved when:
  - parents who are separating or divorcing are unable to agree on arrangements for their children, such as who they live with and who they will visit
  - a proposed adoption has parental consent – in these cases, FCAs act as reporting officers; their role, either at the request of the local authority or if ordered by the court, is to ascertain whether the parent consents unconditionally to the adoption and has a full understanding of the implications

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<sup>3</sup> The terms 'children' and 'child' are used in this report to refer to children and young people under 18.

<sup>4</sup> Cafcass's specific powers can be found in sections 12, 13, 14, 15 and Schedule 2 of the Act. Paragraph 10 of Schedule 2 enables Cafcass, subject to directions given by the Secretary of State, to do anything that appears necessary or expedient for the purposes of, or in connection with, the exercise of its functions.

- an adoption is without parental consent – in these cases, an FCA is appointed either as a children and family reporter or as a children’s guardian for the child
  - the child becomes separately represented (Rule 16.4) – in these cases, the FCA will report to court on the welfare of the child and act as a children’s guardian.
5. Cafcass helps over 130,000 of the country’s most vulnerable children and young people each year (year to date: 1 April 2017 to 31 January 2018 – 117,010). The majority of the children Cafcass works with are under 10 years old.
  6. Cafcass has 33 offices across the country. Cafcass is the largest single employer of social workers in England. It employs 1,687.7 full-time equivalent staff and engages 374 agency and flexible staff.
  7. Cafcass is represented on the national Family Justice Board and chairs or co-chairs 14 out of 42 local Family Justice Boards.

### **Private law<sup>5</sup> demand**

8. Cafcass received 40,824 new private law cases during 2016/17, an increase of 8.4% on the full year 2015/16 (3,151 cases). Between April 2017 and January 2018, demand increased by a further 6.1%: 2,050 more cases compared with the same period last year. There has been a continued longer term increasing trend for new private law cases. Headline growth since April 2014 shows that demand is 26.5% higher (7,419 more cases in 2017/18 than the same period for 2014/15).

### **Public law<sup>6</sup> demand**

9. Public law demand in 2016/17 saw 18,753 new cases, an increase of 11.6% (1,924 more cases) on the full year 2015/16. Between April 2017 and January 2018, demand increased by a marginal 0.6% (92 more cases compared with the same period last year).
10. Within public law, there were 14,554 section 31 care applications made in 2016/17. This is an increase of 13.8%. Following record levels in 2016/17, between April 2017 and January 2018 the trend has decreased slightly: 393

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<sup>5</sup> The Children and Families Act 2014 introduced the Child Arrangements Programme (CAP), replacing the private law programme. The CAP endeavours to avoid litigation with an emphasis on out of court dispute resolution.

<sup>6</sup> Public law family proceedings are where the state, usually a local authority, steps in to investigate concerns, protect children, and sometimes make applications to the courts for care, supervision, emergency protection and child assessment orders. For Cafcass, this is generally in relation to care and supervision applications by local authorities. If a child cannot return home or go to live with a relative, this may require a placement order application and a subsequent adoption process. In these cases, the court appoints a Children’s Guardian.

fewer applications (-3.2%) compared with the same period last year. Headline growth since April 2014 shows that care application demand has grown by 28.9% (2,634 more applications in 2017/18 compared with the same period for 2014/15).

## **Previous Ofsted inspections**

Ofsted completed a national inspection of Cafcass in March 2014 and the overall judgement was good.

## **Inspection judgements about Cafcass**

### **The quality and effectiveness of Cafcass private law<sup>7</sup> practice with families is good**

11. The quality of work in private law is consistently good, with many examples of outstanding practice. Cafcass's central intake team based in the NBC is highly effective. It makes timely and safe screening decisions within 24 hours. Staff understand when to fast-track children's cases and recognise risks that warrant a child-protection referral to a local authority. Consequently, children are helped and protected sooner. A dedicated team completes most police national computer checks within two days. All relevant safeguarding information is swiftly provided to early intervention teams (EITs) to complete work to the first court hearing.
12. Work prior to the first hearing dispute resolution appointment (FHRA) is good. Children are allocated to an FCA without delay. The local EIT prepares safeguarding letters.<sup>8</sup> Timely initial risk assessments ensure that children's welfare is safeguarded. Most safeguarding letters are informed by evidence-based tools. These support the analysis and good advice given to the court. In a very small number, however, the quality needs to improve. A few letters lack analysis and are filed with grammatical mistakes and typos.
13. Interviews with parents to help prepare safeguarding letters are carried out in a respectful manner, providing parents with effective support and clarity. Conversations observed with parents are purposeful. FCAs helpfully identify areas of concern while persistently focusing on the child's needs. Not all safeguarding letters are filed within court-set filing dates. This means that a very small number of parents do not see the letters or have the opportunity to reflect on the contents prior to the first hearing. However, the FCAs (as

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<sup>7</sup> Private family law cases deal with issues concerning children following the breakdown of family relationships. For Cafcass, this generally involves applications for contact and/or residence. It can also include applications following surrogacy or donor arrangements.

<sup>8</sup> Safeguarding letter – This is a letter that a Cafcass worker will write and send to the family court. They will speak to the parties (usually the parents) and ask about the child or young person's safety and any worries that they might have.

observed by inspectors) are exceptionally skilled negotiators, sensitively helping parents focus on the needs of their child while successfully resolving parental disputes and preventing further court involvement.

14. The key decision at the FHDRA is whether Cafcass needs to do further work to advise the court what order, if any, needs to be made to ensure that the child's needs are met. Inspectors found that the advice provided by FCAs was child-focused and in line with Cafcass's principles of proportionate working. When children require a post-first hearing service, work is allocated and most reports are filed with the court in a timely way. Children and their parents and carers receive appropriate advice and support during the proceedings. Inspectors consistently found strong evidence of how children's wishes and feelings are actively sought and how the voice of the child influences future planning. Particular strengths are direct work and engagement with children of varying ages. Children are seen and seen alone when this is in their best interests.
15. Children's experiences are constantly central to the proceedings. FCAs advocate well on their behalf to produce high-quality reports that tell the child's story. There is a strong emphasis on understanding the impact on children. Risks and strengths are carefully analysed. For example, an effective domestic abuse pathway tool (that received an MoJ award in 2017) assists practitioners to identify levels of risk when presented with conflicting parental accounts in complex family situations. Practitioners are clear about the emotional impact on children when parents are unable to prioritise their needs. They are confident and well prepared for court at FHDRAs and other hearings. They offer appropriate challenge where necessary. Advice and recommendations flow from the analysis in their reports. In addition, children are supported to write to and meet the judge if they wish. This helps the court to reach safe and well-informed decisions in children's best interests.
16. In the vast majority of children's cases, safeguarding information is sufficiently analysed and informed by the views and assessments of relevant professionals, family members and children. In two cases, inspectors asked senior managers to review missed safeguarding information. Case plans and contact logs could be used more effectively to plan and review what work is required and how it will be carried out. While stronger reports include a sensitive deliberation of children's cultural backgrounds and heritage, more work is needed to ensure that relevant diversity issues are reported on routinely.
17. In the most challenging and complex private law cases, the judge can appoint a children's guardian under rule 16.4 of the Family Proceedings Rules 2010. In these circumstances, the child will also be appointed a solicitor. Cafcass has continued to work collaboratively with judges to ensure that only the most complex cases are dealt with in this way. It is trialling new ways of working, using a more structured intervention for children and their families in these usually high-conflict cases. This is intended to help parents understand the emotional harm to children when conflict is unresolved and to promote more timely case resolution. Early findings from this new approach are promising.

18. Most work in rule 16.4 appointments is strong. For example, inspectors observed children's guardians in court under cross examination providing clear, unequivocal, child-focused advice and recommendations. Judges who spoke to inspectors confirmed that the guardians' work in these cases is effective in reaching a child-centred resolution more quickly.
19. Cafcass has successfully met its internal and external targets, including all key performance indicators. This is commendable considering the significant ongoing increase in private law work. Some local judges reported that in this time of high demand and reduced resources, 'it is amazing that Cafcass has continued to progress and improve practice'. Children's cases sampled, tracked and audited during this inspection show that for the majority of children, FCAs add significant value to safeguarding vulnerable children and their families in work for and after the first hearing.

### **The quality and effectiveness of Cafcass public law practice with families is good**

20. In public law cases, when a Cafcass practitioner is appointed by the court, they are called a children's guardian. Children and families who are the subject of public law proceedings receive an excellent service. Children's guardians provide timely and high-quality advice to the court in the majority of cases. Risk is identified, analysed and managed effectively throughout the proceedings. They produce explicit evidence-based, independent reports that focus on children's best interests. Recommendations flow from proportionate enquiries and risk-based assessments.
21. Children are seen alone where appropriate. In most cases, there is effective and sensitive direct work with children to ascertain their wishes and feelings. Inspectors observed patient, tenacious and respectful work with children. Guardians spend enough time with children to help them understand what is happening to them and to gain a good understanding of their needs. Feedback from carers, including parents and grandparents, regarding the role of the children's guardian is positive. They commented that the guardian advocates for the child, represents their best interests well and explains the court process clearly.
22. Children's guardians' effective and authoritative practice adds value and leads to better outcomes for the majority of children. This is in relation to both local authorities and instructed 'expert' assessments. Inspectors saw some highly sensitive, well-informed work in relation to children with gender identity issues, resulting in well-considered risk analysis and child-centred recommendations. In addition, guardians use their knowledge of case law and their own authority effectively to challenge other professionals' position, resulting in children being placed in settings that meet their needs.
23. Information-sharing between agencies and parties is appropriate and relevant, although liaison with independent reviewing officers (IROs) is not yet consistent

enough. Guardians are adept at maintaining relationships, particularly when opinions differ, by keeping the focus on children. Social workers report that guardians bring apposite challenge to their work. Rigorous and appropriate challenge to local authority care planning improves outcomes for many children. However, a number of local authorities appear to be unfamiliar with Cafcass's model of proportionate working. They report concerns that some children's guardians did not see children often enough prior to reaching conclusions and filing their reports.

24. Timely allocation and sharing early analysis with the courts assist in preventing delay for children. Cafcass makes a significant contribution to successful and timely case management. It is clear on its role and its limits, representing children well. For example, in several cases, early confirmation of the guardian's position resulted in final orders being made at Issues Resolution Hearings. Senior judges interviewed indicate that the guardians make a significant contribution to successful and timely case management. They confirm that written and oral evidence is well prepared and focused on the impact on the children. When older children are subject to proceedings, separate legal representation is anticipated well in advance and prepared for.
25. Reports are evaluative, succinct and well balanced, with strong child impact analysis. They rigorously evaluate the evidence and analysis in weighing the pros and cons of each option for a child's future, particularly when adoption is planned. Children's guardians explicitly consider the child's timescales in the context of their need to develop secure attachments to adults, leading to persuasive recommendations and enabling the court to make safe, child-centred decisions. A small number of reports would benefit from being more concise and less descriptive.
26. Children's guardians work effectively to ensure that the views of young people are available in applications to the court for a secure order. Children in these types of applications are very vulnerable and at risk of significant harm. Guardians act quickly to see children. There is good evidence of direct work and support to young people in very difficult circumstances. Inspectors saw evidence of appropriate challenge to a local authority, strongly advocating for a child when evidence to meet the threshold for depriving them of their liberty was limited. Analysis and advice to the court in these cases are carried out or given with great care and focus on the impact and risk involved to the individual child.

## **Leadership and governance of the national organisation is outstanding**

27. The chief executive, together with the board and the national service director, avidly champions excellence. Their clearly articulated vision is to achieve safe and positive sustainable change for children and their families. This is at the centre of their work. Stability of leadership and strong aspirations to 'get it right' for vulnerable children are key factors in their success.

28. An exceptional and rigorous strength-based performance framework supports the delivery of good and outstanding services nationally and locally. Strong governance arrangements are firmly in place, augmented by a culture of professional accountability and respectful challenge at every level across the organisation. Consequently, the board and the senior management team have a comprehensive knowledge about what is happening at the frontline.
29. The national service director continues to demonstrate strong and adroit operational and strategic leadership. She has an accurate and realistic view of the service she leads and the challenges Cafcass faces. She leads by example, holding staff to account for the quality of practice locally. The operational management team (OMT), which she chairs, is the 'engine' responsible for driving practice and improvement operationally. Inspectors found that this exceptional team supports frontline practitioners to understand the child's world. OMT listens to the practitioners and acts on their views. It works assiduously to progress areas for improvement, leading and driving innovation nationally and locally. There is a strong culture of continuous learning, devoid of blame. For example, in response to a small number of areas for improvement identified in this inspection, the national service director, in consultation with the assistant directors, immediately developed and began implementing a clear plan of action.
30. Cafcass's highly respected, confident, strategic leaders engage effectively at a national level with key partners in the family justice system. This includes the president of the family division, senior judges and the assistant director of children's services. Leaders actively influence and drive essential change in the wider family justice system. In particular, the contribution of the chief executive is highly valued and is considered to be 'exceptional'. He is held in 'high regard' by senior judiciary and the MoJ. Together with his senior team, he works tirelessly to drive much-needed development and reform to meet the ever-increasing levels of demand.
31. Performance management is a key priority. Key performance indicators (KPIs) are met despite a significant continuous growth in demand. A whole-system, solution-focused approach means that the vast majority of reports are filed as directed by the court, enabling timely decisions for children. Highly developed analytics provide in-depth, reliable information that is accessible to all staff. Routine internal audits evaluating quality and compliance demonstrate continuous improvement. Accurate Cafcass data is relied on by external partners to track progress, for example by the MoJ and local Family Justice Boards.
32. The Cafcass national improvement service (NIS) independently promotes consistency through a national overview of practice across Cafcass. It identifies local variance and drives improvement locally. It plays a key role in quality assurance by standardising practice through operational benchmarking sessions with local managers. The learning identified by NIS is incorporated into the

quarterly learning log and informs the national training plan. Cafcass's national commissioning team ensures that services are available to meet local need.

33. The work of the FJYPB is outstanding. The FJYPB is sponsored by Cafcass and consistently supported by highly skilled, dedicated staff. Consequently, there are numerous excellent examples where it has made a positive difference to children and their families. Members represent the voice of children and young people across England and Wales. They have experience of family proceedings in both public and private law. Young people told inspectors that the FJYPB session 'In my shoes', presented at their 'Voice of the child' conference, makes the most impact. They said this is because participants are enabled to hear their voices directly. As a consequence, the young people have developed a series of 'top tips' for professionals.
34. The FJYPB plays a pivotal role in developing and improving services on behalf of Cafcass, the MoJ, the Judiciary, HMCTS and the National Association of Child Contact Centres. Members of the FJYPB board are actively involved in local Cafcass area quality reviews and hold senior leaders to account for the quality of practice. They routinely have a direct say in who is recruited to ensure that staff and new Cafcass board members are child-centred. The MoJ has sought the views of the FJYPB on proposed reforms, ensuring that members directly influence changes in policy and practice in the courts.
35. Following the successful review of 16 family courts in 2015/16, the president of the family division commissioned the FJYPB to review a further nine courts across England in 2017/18. These reviews are having a direct impact by helping to make courts more child-friendly. For example, Manchester Civil Justice Centre now offers court access days to children and young people attending court and has improved the waiting area. In addition, the FJYPB members work together with HMCTS to deliver a training programme for all court staff. This session reminds staff of how their own practice has a direct impact on a child's experience of the family justice system and what they need to do to improve.
36. Successful workforce planning and innovations in Cafcass's recruitment processes (plus additional investment secured by the chief executive) have resulted in a higher number of frontline practitioners with more capacity to sustain a high-quality service. Senior leaders are not complacent. They are committed to maintaining average caseloads for staff at manageable levels to safeguard employee well-being and productivity. In our survey of Cafcass staff, 97% agreed or strongly agreed that Cafcass, as a national organisation, continually strives to improve.
37. The Cafcass Board and its sub-groups have been highly effective in driving forward improvements, strategically and operationally. Members have a shared understanding of their role, functions and purpose and are focused on continuous child-centred improvement. Two external reviews of the board illustrate that it is open to independent scrutiny of its effectiveness. The chair meets fortnightly with the chief executive officer and has set clear objectives.

Board minutes show evidence of appropriate challenge and routine appraisal, ensuring that the corporate management team is held to account. Board members use their influence and experience wisely to promote reform in the wider family justice system. For example, regular liaison and mature relationships with civil servants in MoJ, Ministers and the President of the Family Division are leading to MoJ-sponsored reforms.

38. Cafcass is a highly ambitious learning organisation. Intensive induction and continuous learning are supported at every level. An evidence-informed practice approach, its model of working introduced in 2014, has been consolidated and improved. Diverse methods of learning are effective in reaching a dispersed workforce. For example, off-the-shelf packages focusing on diversity and inclusion have been developed and launched as part of the wider diversity and inclusion strategy. These are ably supported by diversity champions in each service area. A dedicated legal team provides expert advice and support to staff daily. An extensive library is well used. Targeted face-to-face training is designed to assist individual staff to improve their practice.

### **The leadership and management of local services is outstanding**

39. The 'leadership and management of local services' judgement is a cumulative judgement derived from sampling children's cases across the 17 geographical areas and the on-site inspection of seven service areas.
40. Highly accomplished local senior leaders and managers in Cafcass provide consistently good or outstanding services for children and their families in the family courts. Assistant directors, together with their management teams, have created a culture of high expectation and an environment where understanding the child's world, listening to them and acting on their views are strongly embedded in practice.
41. Local leadership and management are consistently strong and effective across all service areas inspected. Assistant directors are highly aware of and responsive to changes in local demand. They apply high standards to services for children across the country. They have adjusted well to the changing requirements of Cafcass to cope with increasingly higher workloads. Proportionate working is used exceptionally well, ensuring that each child receives the service they need. Practitioners see each child as required, according to their circumstances and have appropriately moved away from being seen as the 'second social worker' in public law work. As an organisation, Cafcass is sensitive to this adjustment for all staff and supports them well in understanding the discrete and dedicated role that they undertake.
42. Working relationships with stakeholders are very positive and productive. Together, they identify and respond well to local challenges and demands. Cafcass does this skilfully, through keeping its focus on supporting frontline operational practice. Feedback is overwhelmingly positive in both public and private law work. For example, one judge described Cafcass's work as

'phenomenal', providing 'true mediation' live at court and ensuring that many cases are resolved, lessening the impact of further proceedings for children. In public law work, feedback has included the 'heroic' response from Cafcass to emergency applications. LFJB chairs and local authorities told inspectors that they welcome Cafcass's mature, solution-focused support.

43. The minor areas for further development were evident across the regions to differing degrees. Diversity is given the highest strategic and development profile within Cafcass. Each local leadership team ensures that local champions creatively promote the broadest range of diversity issues. Training and practitioner presentations and discussion on diversity are actively promoted. In a very small number of cases, diversity issues are not fully considered. Case plans and the recording on contact logs on children's files are not always easy to read. In a small number of cases, they lack clarity about work to be undertaken. Inspectors did not find an adverse impact for children arising from this because practitioners carry out their work with clarity, focus and purpose. Managers at all levels, including the practice supervisor role, are readily available to all staff. A high degree of discussion and opportunities to reflect on practice are also available.
44. Children continue to receive highly effective services despite an increase in demand levels. Innovations in technology and use of direct work tools increase the time that practitioners have for seeing children and understanding their views. Drawings and graphics in letters to children are used as effective communication tools. These help children to understand decisions made by the judge about where they will live and when they will see their parents and brothers and sisters.
45. Leaders and managers have successfully created an environment and culture of high levels of trust, devoid of blame when things go wrong. Staff report that they feel well supported in their work and professional development and that their personal well-being is prioritised. Effective investment in thoughtful, well-implemented health and well-being programmes and the use of technology support flexible working. As a result, Cafcass continues to attract and retain a high-calibre and committed workforce. Investment in the well-managed 'Cafcass associates' (independent FCAs and guardians) enables managers to quickly deploy additional staff in times of higher demand nationally.
46. Accurate and detailed reporting by the Cafcass analytics service provides local managers with evidence-based local and national quality assurance and performance information. Local leaders have a strong grasp of the performance and quality of frontline practice. The sophisticated quality assurance framework efficiently assesses 'live' work, supporting immediate improvement. Area quality reviews, supported by NIS and involving the FJYPB, identify strengths and areas for development independently of local teams. They inform management understanding of the quality of practice and of individual staff development. In addition, continuous learning from complaints, serious case reviews and audits informs service development nationally. For example, moving to a one-stage

complaints system has resulted in a significant decrease in referrals to the ombudsman: from 114 in 2014 to five in 2017/18.

47. Managers locally have put in place clear guidance about when children's cases should be referred to the local authority due to safeguarding concerns. Inspectors saw evidence in most cases that this is well understood and appropriately used by staff. Cafcass's operating framework and updated child protection procedures provide unambiguous direction on expected standards, making children and their needs a priority.
48. Cafcass continues to be an outward-facing organisation, pioneering and promoting different ways of working locally. As the MoJ's preferred key delivery partner, Cafcass is actively supporting private and public law reform. Expert staff and managers across Cafcass are instrumental in driving forward new and innovative ways of working locally. All their work 'starts and stays with the child'. For example, they have developed creative, child-friendly apps to enable children to communicate their views and worries. The 'Cafcass plus model', used in five Cafcass areas, effectively initiates practitioner involvement in public law pre-proceedings. This helps to either safely divert cases from court or reduce delay in reaching decisions that provide safety and permanence for children at risk of harm. In addition, the child impact analysis framework ensures that private law work is centred on understanding and prioritising the child's lived experiences and their right and need to be safe, rather than on adult disputes.

## **The leadership and management of local services in Hampshire, Isle of Wight and Dorset (Area 6) is outstanding**

49. Proactive, responsive, influential senior leaders and managers ensure that children receive a high-quality, child-focused service in both public and private law. The assistant director and head of practice became responsible for Area 6 less than a year ago and promptly reconfigured resources to successfully meet changes in local demand. This has ensured that they either meet or exceed all of the agreed national key performance targets. They contribute to some of the best outcomes nationally for timeliness, for example in concluding public law proceedings. Together with the staff, the assistant director and head of practice have established a strong coherent area identity through staff development days and café-style get-togethers. Their management style is proactive and innovative, with a strong strategic overview. They are driving up standards through a detailed local development plan.
50. The local judiciary describes senior leaders as proactive and accessible and practitioners as well prepared and authoritative. Cafcass is actively working in partnership with HMCTS locally to trial new ways of processing private law applications quickly and safely. The head of practice leads on the national practice supervisor development programme. Cafcass has been actively involved in driving partnership work with stakeholders, for example with a local pre-proceedings protocol in public law.
51. Timeliness of both public and private law work in this area is particularly impressive and leads to prompt and safe outcomes for children. Work is allocated immediately. It is undertaken promptly and expertly. Engagement with parents is impressive and skilled. The quality of reporting to court in both public and private law is consistently strong. Analytical and comprehensive reports rigorously evaluate relevant information to identify risk and accurately convey the child's experiences, wishes and feelings. Practitioners are highly skilled in engaging with children. They make effective use of a range of tools in direct work with children.
52. Staff report that they are well supported, feel valued and have good access to a wide range of training and development opportunities. Many staff have benefited from in-house development schemes and have been promoted to more senior positions within the area. Staff turnover is low and caseloads are manageable across all areas of practice. Managers are readily available and guide and advise the skilled workforce effectively. The performance and learning review (PLR) process works well and includes a good balance of staff development and well-being, self-assessment, reflection and case discussion. There is an evident commitment to diversity and this is integrated well in team training and discussion.

## **The leadership and management of local services in Coventry, Warwickshire and Northamptonshire (Area 13) is outstanding**

53. Local managers in Area 13 provide exceptional leadership, not only for Cafcass staff but within the local family justice system. FCAs' timely allocation and action make a positive difference for children by resolving matters within the court earlier. Although average workloads of FCAs are higher than in most Cafcass areas, staff say they feel well supported. This is reflected in an increasingly stable workforce, a reduced reliance on agency staff and the high quality of FCAs' work and their advice to the courts.
54. Key partners in the judiciary, HMCTS and local authorities say that Cafcass managers are 'accessible and responsive'. They proactively drive improvement, through their energetic engagement in LFJBs and also through a range of targeted interventions. Initiatives include using the 'Cafcass plus model' in Northamptonshire. This is leading to significant improvements in the timeliness with which care proceedings are concluded for children who have been the subject of concerns at a pre-birth stage.
55. Effective work with HMCTS reduces delay for children. Information on private law applications is shared quickly and this improves court listing arrangements. Partners speak very highly of Cafcass' commitment to ensuring that FCAs attend all hearings at the family drug alcohol courts (FDAC) and adolescent courts. They say this 'adds enormously' to the quality of outcomes achieved for children, particularly through FCAs' sharp focus on children's needs.
56. Senior and first line managers have a strong grasp of the performance and quality of frontline practice. This is supported by detailed and up-to-date information provided through the effective quality assurance system. The area improvement plan is well-focused and contains clear measures to understand the impact of actions taken. As a result, it has been used well by the assistant director and his senior team to drive ongoing improvement.
57. Managers have been successful in improving the quality of FCAs' work when diversity issues such as disability, race or religion are particularly significant for children. Guidance about when children's cases should be referred to the local authority due to safeguarding concerns and when FCAs should seek guidance from their managers is well understood and used by staff. The quality of situational supervision is good, with clear and appropriate decisions and guidance for staff.

## **The leadership and management of local services in Tyneside and Northumbria (Area 1) is good**

58. Local leaders and managers work effectively with key partners towards the timely conclusion of cases to achieve good outcomes for children. Working relationships with stakeholders are very positive and productive. Together, they identify and respond well to local challenges and demands. They actively seek feedback to support learning and identify where improvement is needed. Quality assurance and performance management systems are good. Local leaders understand what is happening at the frontline. They show appropriate scrutiny and challenge and hold local managers to account. Children and their families benefit from accessible, commissioned services.
59. Workload pressures for managers and staff present the greatest challenge. The majority of staff are working at capacity and some have been for prolonged periods of time. Some service managers, including the head of practice, manage high numbers of staff across two large geographical areas. This impacts significantly on their time to focus on their main tasks. It is commendable that they manage to provide such a high level of support and management oversight to their teams. Local leaders constantly deploy, move and review resources across two neighbouring service areas to manage demand. National leaders have increased staffing capacity, with 11 new FCAs appointed in the past year.
60. Staff work in a culture that is both challenging and supportive. Staff morale is good but staff are not immune to the impact of workload pressures and the demand for quality. The recently appointed head of practice enhances and promotes opportunities for staff's professional development and progression. New staff experience a well-structured and incremental induction programme.
61. Staff and managers work incredibly hard to ensure almost full compliance with KPIs. Direct work with children and young people is always prioritised and is of good quality. However, the high demand for the services does mean at times that the quality of some work can be compromised. For example, this has affected the timeliness of filing safeguarding letters in work to first hearings and initial case planning in both public and private law.

## **The leadership and management of local services in Cornwall, Devon and Somerset (Area 8) is outstanding**

62. Highly effective and skilled senior leaders provide rigorous oversight of a large service area. Strong performance across both public and private law is achieved through managers' clear overview and rigorous monitoring of local services. Timely negotiations with partners ensure appropriate adjustment to any changes in demand or capacity. This is creatively meeting local challenges. For example, an effective triage duty system is in place for private law applications. The assistant director and head of practice maintain tight control on quality and timeliness. Impact is evident in their attention to practice detail, for example on driving continued improvement in case plans.
63. Reports are concise and evaluative. They meticulously give analysis on the impact on children, which leads to safe recommendations. Strong practice is evident in relation to diversity and identity, particularly in respect of disabled children. Sensitive direct work with children ensures that their needs are central to decision-making and considered well in reports. Practitioners are skilled at mediation with parents and valued by the judiciary for ensuring early resolution for children. They report 'healthy mutual respect, which results in a challenging but collaborative approach' in reaching appropriate decisions for children.
64. Management oversight of casework through situational supervision and the PLR process is particularly strong in Area 8. Practitioners are encouraged to reflect on their work, both on the impact for children and on themselves. Busy staff are very well supported. They receive good-quality induction, peer mentoring and access to a wide range of training and development. Leaders have created productive working relationships with stakeholders and chair one of the three LFJBs. Evidence from local senior judges indicates that Cafcass's work is fundamental to the timely conclusion of cases in the family courts. Judges report being 'happy' with the consistently high-quality service provided.

## **The leadership and management of local services in West Yorkshire (Area 5) is good**

65. Local leadership and management in Area 5 is good, with examples of outstanding work. A particular strength is how the FCAs maintain the focus on the child and establish any harmful impact of their experiences and circumstances. Proportionate and good-quality direct work is supported by evidence-based tools. Area 5 is successfully leading on the development of a child-friendly interactive app. This will enable FCAs nationally to ascertain children and young people's views and to inform recommendations to court.
66. The assistant director leads by example with a resolute focus on the child's safety, achieving a positive and timely outcome in family proceedings. The senior management team effectively supports, challenges and holds service managers and staff to account for high-quality practice. While operational management oversight is effective overall, inspectors found a small number of cases where management oversight is insufficient and where safeguarding issues were missed. More work is needed to ensure full understanding and compliance with safeguarding policy and procedures.
67. Excellent collaboration with all local stakeholders has led to creative ways of joint working across the family justice system. The judiciary, local authorities and HMCTS are exceedingly positive about Cafcass's performance 'in this time of high demand and reduced resources'. One senior judge reported being 'overwhelmingly positive about them'.
68. Performance management is effective. Business plans accurately reflect areas for improvement. Compliance with KPIs exceeds the levels for good. Complaints are low. When findings are upheld, this translates swiftly into learning actions. Commissioned services are well managed. Children and their families do not need to wait to receive services.
69. Workload weighting is well managed in the face of increased demand. The PLRs are reflective and appropriately challenge and support staff development. They focus well on children's progress through proceedings. Situational supervision and management oversight are in evidence but not in all children's records. Key actions required are not routinely recorded. Local managers are leading innovative practice to improve the health and well-being of staff. One example is human resources staff observing FCAs in court. This work has led managers to develop emotional and practical support workshops, including morning mindfulness sessions to support staff with the relentless pressures of the complex negotiations with separated parents in court.

## **The leadership and management of local services in Cheshire, Merseyside and Staffordshire (Area 9) is good**

70. A highly capable management team provides effective oversight of the quality and progress of work with children and their families in the courts. Individual children's cases are swiftly allocated to FCAs, who receive effective guidance from managers who know their staff well. This means that in almost all cases, FCAs get to know children's individual circumstances and make a positive difference through the quality and timeliness of the advice and recommendations they provide to court.
71. PLRs are generally of a good quality. They provide well-considered case direction and support FCAs' professional development through reflection and specific recommendations for training and development. The assistant director ensures a strong focus on staff development and well-being. The induction and development of new staff are particularly impressive. FCAs, including the significant minority with high workloads, report feeling well supported in their work. This helps them operate with a degree of professional confidence and competence that make their recommendations authoritative.
72. Senior managers have worked hard in the past 18 months to address areas for development. They have improved practice in a number of important areas, such as using direct work tools to support child-centred analysis and recommendations. Managers accept that a sharper focus on tracking agreed actions would enhance the pace of progress. For example, while managers have improved the timeliness and quality in their engagement with IROs and in their understanding of diversity, further progress is required before this is of a higher standard. The case plan document is not always used consistently by FCAs or managers. This limits its efficacy as a tool for supporting practice.
73. The assistant director and her managers engage well with their key partners. Local authorities, the judiciary and HMCTS speak highly of their responsiveness and readiness to engage with them to tackle shared priorities. For example, they work to improve listing times for FHDRAs and provide training in court practice to local authority social workers.

## **The leadership and management of local services in London (Areas 15a and 15b) is outstanding**

74. The two assistant directors in London are confident, ambitious and effective senior leaders. Together, they provide coherent, creative and well-organised services. Cafcass has a clear focus on children in the complex range of services it provides across 32 boroughs in London. Alongside capable operational managers, the assistant directors provide an impressive service with equally strong practice seen in both public and private law. One judge said that they 'could not begin to manage without the invaluable information, help and support we unfailingly receive from Cafcass'. A senior judge told inspectors that the improvements achieved by Cafcass are 'remarkable'.
75. Senior leaders have a strong commitment to partnership working and a high degree of awareness of both strategic trends and themes and practice issues that impact on individual children. Leaders' high attention to detail and proactive management approach provide a sophisticated response to considerable volume and fluctuating changes in demand. Successful recruitment means that the busy London teams are close to being permanently staffed. They have some in-built flexibility to meet any unexpected demand. Staff are extremely well supported through specifically targeted training programmes, an excellent induction programme, dedicated group work and effective supervision.
76. All work is promptly allocated, is undertaken in a timely way and is of a high quality. Strong use of analysis provides clear advice to the courts. Challenge is robust when needed and is provided in a culture of collaboration. Staff gather and analyse children's wishes and feelings extremely well. They articulate these powerfully, making good use of helpful tools to enhance direct work. Accomplished senior managers have established clear lines of purposeful engagement with stakeholders. They continuously prioritise their time, making sure it is proportionate to need and is where they can have the greatest impact. For example, as confirmed by stakeholders, managers have a positive role in the London Adoption Board, the LFJBs and the pan-London Safeguarding Children's Board. Judges who spoke to inspectors in London were extremely positive about Cafcass's contribution in both public and private law.
77. A creative, solution-focused approach underpins leaders' success in supporting their staff to provide an excellent service to children and the family courts. Innovation is particularly strong in private law work. London's highly accomplished and influential private law assistant director is forging new ways of working in this complex and often emotionally fraught area of practice, for example by developing the award-winning domestic abuse pathway. In addition, the positive parenting programme and the parental alienation pathway are helping parents understand the impact of their acrimony on their children.

London local authorities told inspectors that they welcomed work being led by Cafcass to agree a London wide-section 7 report format.<sup>9</sup> This is intended to improve social work and child impact analysis when reporting to court.

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<sup>9</sup> A section 7 (CA 1989) report is ordered by the family court and requires either Cafcass or the local authority to investigate all the circumstances of the family, often including the wishes and feelings of a child or young person, and send a report to the court.

## **Information about this inspection**

- Inspectors have looked closely at the experiences of children, young people and families involved in family proceedings.
- Inspectors considered the quality of work and the difference Cafcass makes to the lives of children, young people and families. They read case files, watched how professional staff work with families and discussed the effectiveness of the assessment, analysis and advice given to the family court. Wherever possible, they talked to children, young people and their families.
- Inspectors spent the first week scrutinising 150 cases from across England. During the following three weeks, inspectors visited offices in a representative sample of seven Cafcass service areas.
- The inspection of Cafcass was carried out under section 143 of the Education and Inspections Act 2006.
- The inspection team consisted of 10 Her Majesty's Inspectors (HMI) from Ofsted.

## **The inspection team**

- Lead inspector: Brenda McLaughlin
- Deputy lead inspectors: Dominic Stevens; Tracey Metcalfe; Louise Hocking
- Team inspectors: Rachel Holden; Jan Edwards; Andy Whippey; Dawn Godfrey; Nicola Bennett; Donna Marriott
- Senior data analyst: Patrick Thomson
- Quality assurance manager: Nicholas McMullen

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