



Draft

**Cafcass Performance Committee Minutes
Monday 5 March 2018**

21 Bloomsbury Street, Bentham Room and Charles Dickens Room

Present

John Lakin, Chair of the Performance Committee
Claire Tyler, Cafcass Board Member (via Video Conference)
Paul Grant, Cafcass Board Member (via Video Conference)
Stuart Smith, Cafcass Board Member (via Video Conference)

In attendance

Anthony Douglas, Cafcass Chief Executive
Teresa Williams, Director of Strategy
Christine Banim, Cafcass National Service Director (via Video Conference)
Anji Owens, Cafcass Assistant Director (via Video Conference)
Joanna Furlong, Senior Policy Advisor, Ministry of Justice
Elizabeth Morrison, Information Assurance Officer (for item 6)
Emma Ryley, Cafcass National Estates Manager (for item 10)
Nicola Blakebrough, Corporate Strategist
Grace Egbewole-Adereti, Board and Corporate Support Assistant (Minutes)

Apologies

Dr Elizabeth Gibby, Deputy Director, Family Justice Policy, Ministry of Justice

MINUTES

1. Welcome and Apologies

The Chair welcomed everyone to the meeting. Apologies were received from Elizabeth Gibby.

2. Draft Minutes of the Performance Committee meeting on 4 December 2017

The minutes of the Performance Committee meeting on 4 December 2017 were agreed as an accurate record.

3. Action Log/ Forward Planner/ Matters Arising

The Committee reviewed the action log and noted that all actions had been completed or were in progress.

The date for the next Family Justice Board meeting was still outstanding and pending a decision from the new Minister, but that the sub-group meeting would be held week commencing 5 March 2018.

The Committee discussed the action that 'the Committee would review information relating to case duration for Wiltshire at the next Performance Committee meeting'. The National Service Director confirmed that the position in Wiltshire had been reviewed and that there had only been a small percentage of cases where duration had exceeded target and that the position had improved.

The Committee discussed the action that 'The National Service Director would discuss future arrangements for engagement with safeguarding boards/panels with the Operational Management

Team and report back to the Committee once these are known.’ The National Service Director noted that an update would be provided in September.

The Committee discussed the action that ‘the finalists of recent awards ceremonies would be commended formally by the Board.’ The Chief Executive confirmed that all finalists had been contacted on behalf of the Board.

Committee members noted that they had not yet received the newsletter and were reassured that this information would be resent to them.

There were no further matters arising.

Action 1: Committee members would be resent a copy of the latest external newsletter and would be added to the distribution list.

4. Headline Feedback from the Ofsted Inspection

The Chief Executive presented the headline feedback and provisional judgement from the National Ofsted Inspection for 2018. Cafcass’s overall effectiveness was rated as outstanding, with public and private law obtaining good with outstanding features. Leadership and management of local services and leadership and governance of the national organisation were also noted as outstanding. The Committee were informed that Cafcass was the fourth organisation in children’s social care to receive an overall rating of outstanding.

The Committee were informed that the judgement is provisional and would be published on 29 March.

The Committee commended the result and noted that this was a huge achievement for the organisation.

The Chair thanked the Chief Executive for the update.

5. Performance Report

The National Service Director and Assistant Director presented the Performance Report and outlined the key themes of the paper.

The year to date public law care application demand shows an overall decrease of 3.2% when compared to the same period in the previous year, and a 13.9% increase when compared with the same period in 2015/16.

Private Law care application demand continues to rise, with Cafcass having a 6.1% increase in the number of applications received compared to the same period last year and a 15.3% increase when compared with the same period in 2015/16.

Overall performance remains strong and all KPI’s are being met. At the end of quarter 3, MoJ forecasted for +0.2% in Public Law and +3.7% in Private Law for 2017/18.

Duration of Public Law (S31) care applications remains at 31 weeks for the fourth consecutive quarter. Private Law cases average 17 weeks to conclude and this figure has remained the same from the previous quarter. The Committee were informed that the sharp rise in the stock of open cases was the result of seasonal factors. The overall average caseloads have remained stable with the national average FCA active caseload at 19.6 cases (as at February 2018).

Although public law demand had seen a slight decrease this was not impacting duration which is due to other impacting factors within cases which result in cases lasting longer, such as the use of experts and the average number of hearings.

The Committee discussed that the average number of weeks to file Section 7 reports had slightly increased from 9.6 weeks in 2016/17 (Apr-Jan) to 10.0 weeks during YTD 2017-18. The dates for missed reporting times were thought to average at 2 days.

The Committee discussed performance indicators for service area A8 and queried whether anything had been done to improve the average filing time of section 7 reports in those areas. The National Service Director noted that filing dates could not be extended and that the figure was the result of increased demand and sickness within the team, and difficulties in sourcing cover.

The Committee were informed that there had been a significant improvement in throughput and currently this is at 105.9%. It was agreed that a more in-depth review of throughput and stock and explanation of the position would be undertaken and provided in the next Performance Report.

The Chair thanked the National Service Director and Assistant Director for the report.

Action 2: The Assistant Director would carry out an in-depth review of throughput and stock and an explanation of the position would be provided in the next Performance Report.

6. Freedom of Information 2017/18 biannual update

The Information Assurance officer presented the Freedom of Information (FOI) bi-annual report. Cafcass had received 161 requests for organisational information under the Freedom of Information Act and this represents an increase of 34% from the same period in the previous year. This is largely attributed to the increase in serial requests made from a minority of applicants, constituting 33% of requests.

Trends in themes in requests tend to be affected by policy developments within both Cafcass and the wider family justice system. For example, following a news piece in the Guardian on the High Conflict Pathway, Cafcass received a number of requests about the Pathway and our training and policies on the issues of parental alienation and high conflict.

In the period to date Board related requests accounted for 2% of requests (4 requests). Three of these requests were from the same individual and were in relation to the publication of Board papers on the Cafcass website. One of these requests was in relation to the Board appointment and Co-option process.

The Committee queried whether the high number of requests was linked to the number of litigants in person. The Chief Executive noted that this increase was more likely the result of an increase in Cafcass' work on parental alienation.

The Committee discussed whether the increase in FOI's was due to requesters being unable to find information on the Cafcass website. The Information Assurance Officer noted that members of the public had access to the disclosure log on the Cafcass website, though the frequency of requests could result in information being out of date for some requests. The Information Assurance Officer would review changes that could be made to update the disclosure log.

The Committee were informed that current open requests included a request regarding gender balance although no requests had been received on gender pay bands. It was noted that there is a 4.8% gender pay gap in the organisation, due to the level of men becoming more senior in higher salaries and that Cafcass had published this information on the MOJ website.

The Chief Executive thanked the Information Assurance officer for their excellent management of requests received to the organisation.

Action 3: The Information Assurance officer would review changes that could be made to ensure disclosure log remains current.

7. Strategic Plan Dashboard

The Chief Executive and the Corporate Strategist presented the Strategic Plan Dashboard updated for Quarter 3. Steady progress is being made against the strategic priorities, with the 'Quality' and 'Family Justice Innovation' priorities are changing from Amber to Green ratings.

The Committee discussed the 'Diversity' priority and noted that while this area is stable, more work would need to be done in to highlight what the organisation is doing to improve staff diversity. The Chief Executive confirmed that an update on the gender pay gap would be provided at the next

Board meeting and that the Strategic Plan Dashboard would be reviewed and updated for the Board meeting on 23 March.

7. Strategic Risk Register

The Chief Executive and Corporate Strategist updated the Committee on the nature and level of risks within the Strategic Risk Register where the Performance Committee has lead assurance.

It was noted that there had been little change in the risk profile since the last review. The residual risk across all but one risk area is assessed as Amber, though the risk for 'Workforce Capacity' is considered to be reducing. There is strong mitigation in place across all risks.

The Committee queried whether an update could be provided for grant funding. The Chief Executive noted that the Ministry of Justice had been very supportive of Cafcass' financial position but no confirmation has been received yet regarding Cafcass' budget for the next financial year. The Chief Executive noted that a further update would be provided at the next Board meeting.

The Chair thanked the Chief Executive for the report.

9. Exceptions Report

There were no exceptions to report.

10. Corporate Services – Estates Health and Safety

The National Estates Manager presented the update on the estates managed by the organisation, which was last reviewed in 2013. The team, who manage 36 estates, consist of 5 staff members who manage the health and safety helpdesk for all reactive maintenance issues, as well as undertaking refurbishment works and workplace inspections.

The Committee were informed that the estates strategy is focused on providing high quality accommodation in the right location and that the rationalisation of the estate has reduced offices from 46 to 36 and has increased the number of touchdown facilities. The strategy has also created co-located offices in Barrow, Manchester and Bournemouth however co-location has not taken off as expected, for example Barrow is a small number of desks within the court.

The organisation has a good relationship with the MoJ and the organisations continue to seek opportunities to streamline and rationalise the stock of estates by sharing space and using commuter hubs managed by the MoJ.

The Committee were informed that the estates strategy did not have a target number of offices and that the driver is based on the service need.

The National Estates Manager reported that Health and Safety assessments and reporting practices have improved, increasing the overall performance of health and safety in the organisation. Health and safety was reported at 100 per cent statutory compliance across the estate and the recent internal audit received a substantial assurance opinion. The Corporate Management Team receive a six monthly update on health and safety matters.

The Committee discussed whether health and safety was brigaded with health and wellbeing and were informed that a Health, Safety and Wellbeing steering group was in place to review all areas in depth. The Health and Safety group are looking at providing health and safety resources and will review its security and accessibility. The Estates team are also working towards building an estates wide room booking system to permit people easier access to the Cafcass offices Nationally.

The Chief Executive thanked the National Estates Manager and noted that the estates team provides considerable value for money for the organisation.

9. Any Other Business and Forward Planner

The Cafcass Chair and Chief Executive thanked the Chair of the Performance Committee for his work in the role as this was his last Committee meeting.

The Committee were informed that Board member interviews would take place shortly and that an announcement would be able to be made towards the end of March. The organisation would await an update regarding the incoming Chair from the Secretary of State by the end of March.

There was no further business.

DATE AND TIME OF THE NEXT MEETING: Joint Quality and Performance Committee – Friday
11 May 2018, 11.00 – 13.00.

Actions Summary

- Action 1: Committee members would be resent a copy of the latest external newsletter and would be added to the distribution list.
- Action 2: The Assistant Director would carry out an in-depth review of throughput and stock and an explanation of the position would be provided in the next Performance Report.
- Action 3: The Information Assurance officer would review changes that could be made to ensure disclosure log remains current.