



**Cafcass Board Meeting Minutes
Wednesday 20 March 2019 10.30 to 13.00
21 Bloomsbury Street**

Present

Edward Timpson CBE, Chair of the Cafcass Board
Paul Grant, Cafcass Board member
Fay Selvan, Chair of the Performance and Quality Committee
Caroline Corby, Board member
Francis Plowden, Chair of the Audit and Risk Assurance Committee
Stuart Smith, Chair of the Performance and Quality Committee
Catherine Doran, Cafcass Board member
Mandy Jones, Cafcass Board member
Sally Cheshire, Cafcass Board member
Sophie Humphreys, Cafcass Board member

In attendance

Anthony Douglas CBE, Chief Executive
Julie Brown, Director of Resources
Teresa Williams, Director of Strategy
Christine Banim, National Service Director
Melanie Carew, Head of Legal Services
Neal Barcoe, Deputy Director for Family Justice Policy, Ministry of Justice
Katie Goldstraw, FJYPB Representative
Merryn Hockaday, Senior Communications Manager (for item 10)
Grace Egbewole-Adereti, Board and Corporate Support Assistant
Nicola Blakebrough, Corporate Strategist

Apologies

Joanna Nicolas, Board member
Deep Sagar, Cafcass Board member
Colette Jacobs, Head of Communications

MINUTES

1. Chair's Welcome

The Chair welcomed everyone to the meeting.

The Chair noted he had attended the Croydon office for a team meeting on 2 February 2019 to discuss the Strategic Plan Refresh and to meet staff. Board members had also been visiting local offices for the purpose of consultation on the strategic plan refresh and updates would be received later in the meeting.

2. Apologies / Declarations of Interest / Minutes / Actions

2.1 Apologies

Apologies were received from received from Joanna Nicolas, Deep Sagar and Colette Jacobs.

2.2 Declarations of interests

There were no new declarations of interest.

2.3 Draft Minutes from the Board Meeting on 23 January 2019

The Board approved the minutes of the meeting held on 23 January 2019 subject to an amendment to the wording under item 7 to highlight the seriousness of the risk relating to data breaches.

Action 1: The minutes of the 23 January Board meeting would be amended.

2.4 Action Log

The Board reviewed the Action Log and noted that all actions were either completed or are on track.

There were no further matters arising.

3. Feedback from Board Visits (Oral item)

Board members provided feedback on service visits which had taken place at the Croydon, Lincoln, Swindon, Coventry and Bloomsbury Cafcass offices, including attending team meetings to discuss the Strategic Plan Refresh.

The Board discussed feedback and noted:

- Morale of staff was very good despite continued demand pressures and that staff have a wealth of expertise and realism.
- The process of discussing the Strategic Plan was pitched at the right level and seen as a good approach.
- Recruitment in some areas was still difficult and taking a long time to fill posts.
- Some offices continued to experience IT issues with bandwidth availability which impacts performance of the system, however that a project was in place to deliver increased bandwidth to offices.
- Domestic abuse and child exploitation tools were very helpful.

The Board noted feedback on practice observation and that the Operational Management Team would be discussing the threshold for assessment in the near future.

The Board were informed that the visit programme for 2019 had been finalised with the Corporate Management Team and would be communicated to the Board by the end of the week.

4. Report from the Chief Executive

The Chief Executive reported that demand in private law continues to increase whilst public law has seen a slight decrease. Despite demand increases, a high standard of work was being maintained. The budget forecast for the year is stable and confirmation of the budget for the next financial year from the Ministry of Justice (MoJ) awaited. All audits for the year had received a substantial audit rating aside from the report on data breaches. A meeting

between the Chief Executive and National Service Director to discuss the Ofsted Action Plan and future inspection framework would take place on 4 April.

The Board Seminar on 19 March 2019 discussed the work on the judge-led Public and Private Law Judicial working groups. Government priorities mean that major reform changes in the short term are unlikely, though small changes through the working groups could amount to significant change for Cafcass. Some Board members would attend the joint Cafcass and AFCC Co-Parenting Conference on 21 March.

The Board were updated on the recruitment process for a new Chief Executive. Interim arrangements for the period between 30 April 2019 and commencement of the new Chief Executive were confirmed. The Director of Resources would become the Interim Executive and Accounting Officer and the three Directors would hold enhanced responsibilities. It was noted that interviews for the role of Chief Executive would be held on 26 April 2019 and that this would be amended in the Chief Executive's report.

The Board expressed concern regarding the Information Commissioners Office (ICO) letter on data breaches. The Head of Legal Services informed the Board that there were up to 59 avoidable breaches which were due in part to inaccurate data received from third parties and that effort was being made towards reducing the small amount of avoidable data breaches. The trend in the number of breaches was downward recently as a percentage of total transactions. The Board acknowledged that any number of breaches was unacceptable however there was a level of unavoidable risk. The Head of Legal Services assured the Board that various initiatives were in place to help avoid breaches including compulsory training for staff and that systems such as auto-populated envelopes would be investigated. The Head of Legal Services confirmed she would meet with the ICO Policy Team to discuss how to further reduce the level of data breaches and that recruitment for an Information Assurance Manager had commenced.

Action 2: The interview date for the role of Chief Executive would be amended in the Chief Executive's report.

5. Report from the Family Justice Young People's Board

The Chair welcomed Katie Goldstraw, a representative of the Family Justice Young People's Board who presented highlights from their regular updating report.

- The FJYPB currently has 59 members aged between 8 – 25 years old. From April 2018 to February 2019 and 109 commissions had been completed with a range of key stakeholders, 31 of which were for Cafcass.
- The FJYPB had been closely involved with the Cafcass Strategy Refresh
- The FJYPB had launched the FJYPB champion role across Cafcass to build positive relationships and maintain strong consistent communication between the FJYPB and local areas/teams.
- Two Board members attended the Family Justice Board meeting on 15 January 2019 participating as equal members of the Family Justice Board.
- A Board member attended the National Family Justice Board Conference on 5 March 2019 and gave a presentation with Teresa Williams, Director of Strategy, on '*The impact of the Family Justice System on Children & Young People*'.
- The CIW inspection of Cafcass Cymru was published earlier this month. The report reflects the positive steps Cafcass Cymru had made over the last few years and the positive role the FJYPB had played in this, both to practice and strategic development.

- The annual Voice of the Child Conference would take place on Wednesday 24 July 2019 in Leeds and would focus on the positive mental health and wellbeing of children and young people in the family courts.
- The FJYPB would not be undertaking a recruitment campaign in 2019 and would be focusing on developing the skills of existing members.

The Board commended the work of the FJYPB and were briefed on their involvement in the recruitment process of the Chief Executive.

The Chair thanked the FJYPB representative for their report.

6. Reports from Audit and Risk Assurance Committee and the Performance and Quality Committees

Audit and Risk Assurance Committee (ARAC):

The Chair of ARAC informed the Board that ARAC had last met on 4 March 2019 and had requested an update on the communications campaign regarding grievance reporting. ARAC reviewed audits on Workload Management and Talent Management which had both received substantial audit opinions and had requested changes to the audit plan; and had received reports on accounting policies and business continuity arrangements. The annual report on incidents of abuse against staff by service users had noted that the number of incidents being reported had increased slightly and the work being undertaken to support staff.

Performance and Quality Committee (P&Q):

The co-chair of the Performance and Quality Committee reported that the last meeting had been held on 11 March, co-chaired by Fay Selvan and Stuart Smith. The P&Q Committee had received a practice presentation on child sexual exploitation which covered the tools used by staff and case study examples in public and private law cases. The Committee reviewed the performance report and discussed the increased complexity of cases and rise in private law demand. The Board requested that the practice presentation be circulated for information.

The Board Chair thanked the Committee Chairs for their reports.

Action 3: The practice presentation on Child Sexual Exploitation from the 11 March 2019 Performance and Quality Committee meeting would be circulated to the Board for information.

7. Finance Report

The Director of Resources presented the Finance report and noted that the management accounts for the end of February 2019 show spend continuing to fall broadly in line with the profiled budget. The outturn budget was expected in April and showed no areas of concern. The Director of Resources noted the continued efforts of budget holders who balance the risks of service delivery, quality and financial balance throughout their daily work.

The funding allocation from the MOJ for 2019-20 was pending however the Corporate Management Team had outlined the organisation's operational and business spending priorities for next year.

The Board queried whether we expected a rise in the employer contribution to pensions. The Director of Resources confirmed that the West Yorkshire Pension Scheme updated its policies on 3-year cycle so any changes would be made within that timeframe.

The Chair commended the service for the management of the budget in light of the high demand pressures and thanked the Director of Resources for the report.

8. Demand Levels and Resourcing

The National Service Director reiterated that private law demand continues to increase and had increased by 2% between April 2019 to January 2019. Public Law demand had decreased by 3.2%. The quality of casework had been maintained and improved despite relentless demand pressures. Recruitment and retention of staff remained stable. The Operational Management Team had set the operational budget for the next financial year however overall 2019-20 would be a challenging year to continue to manage budget against demand.

Staff morale remained good and maintenance and improvement of staff health and well-being was noted as a priority. An Operational Management Team planning day would be held to focus on reducing the expectations on staff to relieve pressure without reducing quality.

The Board requested that the MoJ representative provide feedback to the Minister on the positive work of Public and Private Law Judicial working groups.

The Board were informed that the review of the Manchester pilot was with the MoJ and would be provided to the Board once available.

The Chair thanked the National Service Director for the report.

Action 4: The MoJ representative would feedback about the work of Public and Private Law Judicial Working Groups to colleagues.

8. Strategic Risk Register

The Director of Resources reported that residual risks relating to private law demand and workforce capacity continued to be assessed as high. The residual risk for Effective Partnership Working and Replacement of ICT Services and effectively navigating Government spending control processes had reduced to green and all other risks were considered amber.

The Board were informed that the sponsor department had regular sight of the strategic risk register. The Board requested that the recruitment of a new Chief Executive be noted as a risk in the register.

The Chair thanked the Director of Resources for the report.

Action 5: The risk relating to the recruitment of a new Chief Executive would be added to the Strategic Risk Register.

10. Strategic Plan Refresh

The Director of Strategy and Senior Communications Manager provided an update on the Strategic Plan refresh. Good progress has been made in further shaping the new Strategy for 2019-22 and staff engagement has been extremely positive. There had been positive engagement with the FJYPB however stakeholder feedback has been more limited and further mechanisms would be put in place to engage stakeholders. The Strategy is on track to be published in July following sign off at the Board meeting in June and thereafter champions would remain engaged to help embed the Strategy.

The Board requested some amendments to the Strategy:

- To rework the Vision to ensure it speaks equally to private and practice law.
- Ensure that children are the focus within the section titled 'what do children and families need in the journeys'

- Add detail as to how Cafcass' profile would be raised.
- Strengthen the link between diversity networks and the diversity and inclusion strategy.
- To place more emphasis on supporting children and families with consideration of the child's role in the family justice system and the different procedures applied to public and private law.

The Board were invited to contact the Director of Strategy with any further comments.

The Chair thanked the Director of Strategy for the report.

11. Counter-Fraud, Bribery and Corruption Strategy

The Director of Resources presented the Counter-Fraud, Bribery and Corruption Strategy to the Board. The Strategy aims to place proactive fraud awareness at the core of internal systems and processes and to comply and add value to Cabinet Office standards.

Compliance with counter fraud measures is applicable to Cafcass in its role as an organisation who receives funding from the sponsor department and will improve internal governance arrangements. The Board were informed that the organisations counter-fraud contact was the Director of Resources and took note of the report.

The Chair thanked the Director of Resources for the report.

14. Any Other Business

There was no further business.

Actions Summary

- Action 1: The minutes of the 23 January Board meeting would be amended.
- Action 2: The interview date for the role of Chief Executive would be amended in the Chief Executive's report.
- Action 3: The practice presentation on Child Sexual Exploitation from the 11 March Performance and Quality Committee meeting would be circulated to the Board for information.
- Action 4: The MoJ representative would feedback about the work of Public and Private Law Judicial Working Groups to colleagues.
- Action 5: The risk relating to the recruitment of a new Chief Executive would be added to the Strategic Risk Register.

Minutes Approved by the Board Chair, Edward Timpson, 12.06.19

