

Ofsted's inspection of Cafcass: South Yorkshire and Humberside service area

Cafcass South Yorkshire and Humberside service area provides services to children and families in Barnsley, Doncaster, East Riding, Kingston upon Hull, North Lincolnshire, north East Lincolnshire, Rotherham and Sheffield.

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Introduction

1. Ofsted carried out the inspection of service provision by the Children and Family Court Advisory and Support Service (Cafcass) in the South Yorkshire and Humberside service area in the week commencing 15 August 2011.
2. Cafcass consists of a national office in London and three geographical sectors – north, central and south – which are each divided into service areas. The Head of Service is the senior manager in each service area and is accountable to the sector's Operational Director. The operational directors are directly accountable to the Cafcass Chief Executive.
3. The Cafcass South Yorkshire and Humberside service area provides services to children and families across the local authority areas of Barnsley, Doncaster, East Riding, Kingston upon Hull, North Lincolnshire, North East Lincolnshire, Rotherham and Sheffield. East Riding, Kingston upon Hull, North Lincolnshire and North East Lincolnshire were served by the North Yorkshire and Humberside Cafcass service area until August 2010, when the local Cafcass service areas were reorganised. The Operational Director (North) has been in post since 2009 and the Head of Service has been in post since January 2010.
4. The professional staff who provide the social work service to children and families subject to private and public law proceedings are based in Kingston upon Hull, Doncaster and Sheffield. Five operational service managers manage service delivery, supported by 60 (whole time equivalent) family court advisers, 2.5 family support workers, two office managers and 15 administrators.
5. During the fieldwork, inspectors examined an extensive range of documentation and held meetings or telephone conversations with the judiciary, local authorities and interest groups. Interviews or discussions were held with the Operational Director, the Head of Service, the senior Human Resources Manager, a commissioning and partnership manager, family court advisers, family support workers and the operational service managers. Inspectors evaluated private and public law reports, case files, complaints records and human resources files and observed Cafcass practice with children and families using the service.

Overall effectiveness

Grade 3 (Satisfactory)

6. The overall effectiveness of the Cafcass South Yorkshire and Humberside service area is satisfactory. Concerted action has been taken by the management team and staff to ensure that the service meets required standards. In one part of the service area this has been from a previously inadequate baseline and in this area the service has noticeably improved to a satisfactory standard. Diminished resources are being managed well to ensure that the service delivers its core functions. The area's self-evaluation is

accurate and leads to appropriate priorities and plans.

7. Safeguarding is satisfactory and the service provides effective advocacy for the majority of children and young people. Performance management arrangements are satisfactory, although they focus predominantly on compliance with systems and processes rather than improvements to the quality of service.

Capacity for improvement

Grade 2 (Good)

8. Capacity for improvement is good. The service area is demonstrating steady improvement and service responsiveness is now good, which means that children and families now receive a prompt service in the local area. Strong leadership through a period of significant change, which includes managing with a much reduced budget, has achieved an understanding and acceptance of new ways of working across the service area. The Head of Service has the support and respect of staff and change is being managed effectively.
9. Value for money is good. Partnerships with stakeholders and commissioned services are productive and secure improvements to the service. Business planning is sound and demonstrates good aspiration for the service area, which includes targets that are both ambitious and realistic. Effective workforce planning has achieved a stable, competent and knowledgeable workforce.
10. While some effective partnerships with community groups and local authorities have been developed, it is recognised by the service area that there is a need to further develop this aspect of the work.

Areas for improvement

11. In order to improve the quality of provision and services for children and young people in Cafcass South Yorkshire and Humberside, the service area should take the following action.

Immediately

- Ensure consistent and proportionate management oversight of work across the service area, which includes sufficient focus on the quality of the work as well as compliance with processes.

Within three months

- Ensure that arrangements for self-audit by practitioners are reviewed, including appropriate monitoring by managers, so that self-auditing effectively and consistently contributes to improving the quality of the service.

- Ensure that at their first point of contact with the service, children and young people are provided with clear and understandable information, including written information, about how they can raise concerns or complaints.
- Develop local systems and processes for ensuring the quality of commissioned services at operational level.
- Ensure that the impact of all relevant equality and diversity issues, including learning difficulties and mental health, is included in case assessment, planning and direct work with children, young people and their families.

Within six months

- Further review with key partners the appropriate thresholds for both Schedule 2 letters and Section 7 reports.

Meeting the needs of service users

Ambition and prioritisation

Grade 2 (Good)

12. Ambition and prioritisation are good. The South Yorkshire and Humberside Cafcass service area has existed in its current form since August 2010 when, as part of an internal reorganisation, Hull and South Humberside service areas were amalgamated with South Yorkshire. These areas were formerly part of the North Yorkshire and Humberside Cafcass service area, which was judged as inadequate by Ofsted both during a full inspection in July 2009 and during a subsequent monitoring inspection in April 2010.
13. Senior managers have taken robust and successful action to improve service delivery to children and their families across the service area. The business plan demonstrates clearly articulated ambition and sets appropriate priorities accompanied by clear outcome measures. These priorities include better use of resources to improve service delivery to children and families. Managers have taken effective action to rationalise estate costs, reduce staffing levels to match current demand, make better use of commissioned services and introduce more proportionate ways of working to meet national external and internal policy requirements.
14. The Head of Service and area management team provide clear direction and very effective leadership. Change is managed well and managers promote a strong culture of safeguarding children. Business support processes are highly efficient and have contributed to ensuring that court filing dates for reports are nearly always met. Data collection systems are accurate and key information is up to date and easily accessed by managers. These good business support processes contribute effectively to improving services for children and families.
15. Relationships with the local judiciary are good. Protocols between the service area and the local courts have been agreed and implemented effectively to ensure prompt service delivery and effective safeguarding of children. While relationships with some of the eight local authorities covered by the service area are well established and productive, others require further development and this is known and addressed through implementation of the local business plan.
16. Clear lines of accountability have been established across the service area. Resources are sufficient to deliver the service, financial planning is sound and commissioning arrangements are satisfactory. Service responsiveness is good and the quality of service provision is satisfactory or better.

Performance management

Grade 3 (Satisfactory)

17. Performance management is satisfactory. The service area meets satisfactory levels for all key performance indicators, with some showing better than national average performance such as meeting court filing dates in private law proceedings. A good trend of improvement in the timely allocation of work has been sustained over the last nine months in private law and the last five months in public law. This ensures that cases are not delayed and that children and families receive a prompt service.
18. Performance information is accurate, accessible and regularly available for managers, who make good use of it to improve some aspects of the service, such as sustaining the improved timeliness in meeting court filing dates and achieving greater efficiencies in the throughput of work. Performance information is also used effectively with those staff who are subject to performance action plans. Some internal performance audits are undertaken, including a recent 'health check' of some key areas of service delivery. Overall, however, the use of performance management information to raise standards and improve practice is underdeveloped. Self-auditing of practice has recently been introduced for those staff who have been assessed as competent to do so. However, the accuracy of these self-audits is variable and they are not moderated by managers. Self-auditing therefore makes only limited contribution to improving the quality of service. Quality assurance of practice by managers is also inconsistent and some practice weaknesses remain, such as the variable quality of court reports.
19. The frequency of supervision has only very recently improved to meet national requirements. All relevant staff members have been subject to an appraisal during the last financial year. Nevertheless, the impact of supervision and appraisal on improving practice is too variable. Although supervision rightly ensures that individual staff are compliant with Cafcass policies and procedures, it provides less emphasis on development and practice improvement. Appraisals do not always lead to development plans that are specific, measurable, achievable, realistic and timely.

Workforce development

Grade 3 (Satisfactory)

20. Workforce development is satisfactory. The service area benefits from a stable, experienced and committed workforce. Staff report that their caseloads are complex but manageable and that they are provided with a good level of support from their managers. Staff have access to a wide range of training, which includes nationally required training such as safeguarding and equality and diversity. In addition, local training needs identified through business planning processes are met through a series of planned workshops. The impact

of training on improving practice has not been evaluated.

21. The workforce development plan suitably identifies most of the priority issues for the service area, including recognition of higher than national levels of sickness absence. Managers demonstrate understanding of the reasons for this and are taking effective steps to manage sickness amongst staff while ensuring sensitivity to individual circumstances. Satisfactory action has been taken to reduce vacancy levels across the service area, with agency staff in place for the small number of vacancies, largely in the Hull early intervention team, not yet filled by permanent staff. Ongoing action is being taken to appoint to these posts.
22. Robust human resource processes and systems are in place to ensure that staff who are recruited are suitable to work with children. Criminal Records Bureau (CRB) checks are carried out on all staff prior to employment and references are taken up and agreed by the recruiting manager before contracts are issued. The process of renewing CRB checks every three years is good practice.

Partnerships

Grade 3 (Satisfactory)

23. Arrangements for working with key statutory stakeholders, relevant community groups and commissioned services are satisfactory. Strategic and operational links with the judiciary and partners within the family justice system are strong and well-developed. The service area works well with multi-agency partnerships such as the Family Justice Council and the local performance improvement group to enhance service delivery and ensure that delays are minimised. Working relationships with statutory and voluntary agencies at an operational level are sound and, in the majority of cases, ensure that the needs of children and their families are effectively met.
24. The quality of strategic working relationships with local authorities is variable. The area is aware of the need to strengthen relationships with some authorities and plans are in place to improve such links.
25. Services are commissioned effectively to ensure that the work of Cafcass meets local need. A range of providers offer the Separating Parents Information Programme at locations across the area and the numbers attending the programme have increased. The quality of this service is monitored well through a range of indicators, including feedback from participants. All contact centres have reached nationally accredited standards. In consultation with the service area, services are reviewed on a quarterly basis to ensure contract compliance. However, local quality assurance systems are not sufficiently robust. Despite efforts to commission services for perpetrators of domestic abuse, this resource is currently not available in the area, which is a gap.

Equality and diversity

Grade 3 (Satisfactory)

26. Work to promote equality and diversity is satisfactory. Improved business systems ensure that the monitoring of the ethnicity and diversity of families involved with the service is routinely undertaken. A comprehensive equality impact assessment has been completed with the involvement of staff and managers. It reflects the diverse needs of the community that it serves and the resulting action plans have addressed deficits, for example in the increased use of community venues and home visits to see families where travelling to a Cafcass office is difficult.
27. Practice observation by inspectors showed that the needs of families were accommodated and that they were treated respectfully. All offices in the area are easily accessible to service users and staff with disabilities. Efforts have been made to make reception areas welcoming and child-friendly. Designated rooms are available for work with children, offering a range of age-appropriate resources to encourage effective engagement.
28. In the majority of cases seen by inspectors, the diverse needs of children and their families were properly considered as part of the assessment process. However, in a small but significant number of cases, practitioners failed to recognise the impact of individual circumstances on the breakdown of the family. These included the lack of consideration of how the learning difficulties and mental health issues of parents can influence their ability to engage with the family justice system.

Value for money

Grade 2 (Good)

29. Value for money is good. The service area manages its resources well to ensure effective and efficient delivery of services. Financial planning for the Cafcass service area is robust and is supported by good financial monitoring systems. Although the unit costs in the area are higher than national averages, the reasons for this are clearly understood by managers. A realistic plan is in place to reduce costs further in the current financial year and manage a significant reduction in the overall budget for the area. The recent enlargement of the service area has been managed well to minimise the impact on service delivery. A comprehensive review of the resources of the new area has resulted in a rationalisation of the number of offices and a reduction of the number of family court advisors in line with business needs. Through effective monitoring, the recognition of low usage of some contact centre services has resulted in re-commissioning of the provision to better meet the needs of the area.
30. All work undertaken by the area is appropriate to the role of Cafcass in the family justice system. Cases are allocated promptly and the throughput of work within the area is efficient. Family court advisors undertake work in both public

and private law, which increases the capacity of the area to respond to any change in demand for services. The level of use of self-employed contractors is appropriate and the use of agency staff to cover vacancies is reducing.

31. Over the past year, the performance of the area against the key performance indicators has improved consistently, with some aspects of performance exceeding national averages. Local agreements with courts about filing times for reports are realistic and this ensures that delays in the completion of cases are kept to a minimum.

Safeguarding

Grade 3 (Satisfactory)

32. The contribution of the service area to safeguarding children and young people is satisfactory. The service area gives appropriately high priority to safeguarding and all cases are allocated to suitably qualified workers. Clear and relevant safeguarding information is provided to the court in the majority of Schedule 2 letters so that early decisions can be based upon sound risk assessment. The quality of safeguarding assessments in case plans and reports is good. Recommendations to the court are effective in ensuring that children are safeguarded.
33. Staff safeguarding knowledge and practice are regularly and effectively assessed in supervision. Sufficient safeguarding training is available and attended by staff including business support staff. Some managers and practitioners have attended training to learn lessons from serious case reviews and this has been disseminated to the wider staff group in team meetings.
34. Staff members are alert to their safeguarding responsibilities making appropriate and, in most cases timely, referrals to the local authority when safeguarding concerns are identified. Good attention is given to the tracking of these referrals and outcomes are routinely followed up. However, in two cases seen by inspectors, referrals had not been made to the local authority where there was information to indicate that children may be at risk of significant harm. Once alerted by inspectors, swift and appropriate action was taken by senior managers to refer both cases to the local authority and to take steps to prevent recurrence. However, concerns remain about the effectiveness of local quality assurance systems and management oversight of some work.
35. The contribution of the service to the eight Local Safeguarding Children Boards that are covered by the service area is variable, with limited attendance by Cafcass representatives over the last year. Nonetheless, there are some examples of effective contributions by Cafcass managers to some individual boards. This variability is recognised by the service, with arrangements in place to improve this aspect of the work, although the impact of this is not yet seen. Cafcass staff and managers ensure that relevant safeguarding information is regularly shared at multi-agency risk assessment conferences. The role of the

local authority designated officer is well understood and appropriate action is taken when concerns are identified.

Evaluation

Grade 3 (Satisfactory)

36. The quality of evaluation is satisfactory. Senior managers share a good understanding of the strengths in the service area and identify accurately where improvements are needed. The findings from the recent internal health check and auditing are largely accurate and helpful and key priorities are identified through business planning. The area action plan sets targets, monitors progress and demonstrates where some key progress is being achieved. Some features of the local service, such as the low proportion of Section 7 reports in proportion to comparatively high application rates, are as yet only partially understood by the local area.
37. Quality assurance arrangements are not sufficiently robust. Some auditing and monitoring processes over emphasise compliance and lack sufficient attention to significant aspects of practice development. There is significant variation in management oversight of the work of practitioners.

Quality of provision

Service responsiveness

Grade 2 (Good)

38. Service responsiveness is good. The Cafcass service area has taken effective steps to tackle avoidable delay in service provision and significant progress has been made over the past 12 months. There is no longer a backlog of unallocated cases or cases awaiting closure and both public law and private law cases are now allocated promptly. Family court advisers commence work on new cases immediately and efficiently.
39. Key performance indicators on allocation and timeliness are met and are above national average performance in meeting filing times for court reports in private law. Schedule 2 letters are almost always filed within the agreed timescales.

Case planning and recording

Grade 3 (Satisfactory)

40. Case planning and recording are satisfactory. In almost all case files, recording is thorough and provides a clear account of Cafcass involvement, demonstrating accountability and effective service delivery. The quality of case plans is improving in line with the Cafcass service area business plan priority. The majority of case plans are clear and comprehensive, based on a thorough needs assessment and analysis, and reviewed at suitable intervals. However, there is little evidence in case files of management oversight of the planning and review process or that case plans are shared with families.

Assessment, intervention and direct work with children

Grade 3 (Satisfactory)

41. Assessment, intervention and direct work with children are satisfactory. Early intervention teams screen private law cases effectively to ensure that the work of Cafcass meets its statutory requirements to report on cases where the welfare of children may be in question.
42. Overall, the majority of assessments achieve a comprehensive understanding of the individual needs of children. The majority of interventions with children and adults are purposeful, planned, time-limited and focused on improving outcomes for children. Interviews observed by inspectors were well planned and sensitive to the circumstances of the children and adults involved, while ensuring that the welfare of the children was central to the discussions.
43. However, the quality of engagement with children is variable, particularly with younger children. In many cases high-quality direct work is conducted to establish children's views, with examples of creative use of age appropriate

tools, enabling children to express their feelings in an enjoyable way and, for example, enabling a young person to write to the judge. In other cases, little or no work is attempted to engage with children with the result that minimal information about their views is obtained. In some instances where children are considered too young, no attempts have been made to ascertain their level of understanding.

44. The level of scrutiny and challenge to local authority care planning is good in most cases. Appropriate use is made of experts and other professionals as necessary so that families are not subject to repeated assessments.

Reporting and recommendations to the court

Grade 3 (Satisfactory)

45. Reporting and recommendations to the courts are satisfactory, although the quality of reports is too variable. The majority of reports seen by inspectors are of satisfactory or good quality and include effective safeguarding assessments. Most cases demonstrate child-focused work and strong advocacy for children. In these cases recommendations are logical and set out clearly the options for the court. A small but significant minority of reports are of poor quality and these reports typically lack robust analysis or comprehensive recommendations. Not all reports are adequately proofread and a number contain careless mistakes or lack clarity of wording. Reports are usually shared in advance of hearings with all relevant parties.
46. The majority of Schedule 2 letters are satisfactory or better as a result of close scrutiny by managers. A small number are weaker and are overly descriptive or poorly presented, or contain unsubstantiated allegations. Some examples seen by inspectors go beyond initial risk assessment and the expectations and standards set out in court rules or local agreements. These bear more resemblance to full court reports. The Cafcass service area is aware of this and intends to review the position in conjunction with the courts.

Complaints

Grade 3 (Satisfactory)

47. The response to complaints from families who use the service is satisfactory and is improving. During 2010 managers recognised that the response to complaints was too variable and subject to unacceptable delay. Effective action has been taken to ensure the improved management of complaints handling by the service area.
48. Since January 2011, the majority of complaints have been responded to within timescales and performance now exceeds the national average for Cafcass. The quality of the response is at least satisfactory and in some instances good, with thorough investigations completed that lead to fair and balanced outcomes. As a result, a very high proportion of complaints are resolved at the earliest stage

in the process. While the number of complaints that proceed to the later stages of the process is very low, there remains significant delay in identifying an independent review person to conduct the investigations.

49. Parents and carers are not routinely provided with initial information about the process for raising concerns or complaints, although in some instances individual members of staff provide this information at their first contact with a family. No specific information is available for children and young people regarding how they can compliment or raise concerns about the services they have received. No routine feedback is obtained from families or children either during or at the end of Cafcass involvement.

50. While there is evidence of some learning from complaints leading to changes in practice, this is at an early stage and there has been no systematic area-wide collation or evaluation of compliments, concerns or complaints, with the result that organisational learning about good or poor practice is limited. This is a current priority in the service area business plan and some early analysis such as the high proportion of complaints made by fathers in private law proceedings is leading to appropriate action. Good use is made of local partnership working arrangements to resolve professional issues raised about the quality of the service.

Definitions

Inspection grades

Grade 1 – outstanding	The service provided is well above the minimum requirements and makes a demonstrable contribution to improving outcomes for children and young people.
Grade 2 – Good	The service provided is consistently above the minimum requirements and contributes to improving outcomes for most children and young people.
Grade 3 – satisfactory	The service provided meets minimum requirements and contributes to improving outcomes for children and young people.
Grade 4 – inadequate	Minimum requirements are not met by the service and it makes little or no contribution to improved outcomes for children and young people.

‘No order principle’

Children Act 1989 section 1(5) is known as the ‘no order principle’.¹ It states: ‘Where a court is considering whether or not to make one or more orders under this Act with respect to a child, it shall not make the order or any of the orders unless it considers that doing so would be better for the child than making no order at all.’ The ‘no order principle’ is consistent with two of the philosophies underlying the Children Act 1989: that there should be minimum state intervention in family life and that parents should exercise and be encouraged to exercise responsibility for their children’.²

Principle of ‘no delay’

Section 1(2) of the Children Act 1989 sets out the general principle that any delay in determining the question about a child’s upbringing ‘is likely to prejudice the welfare of the child’. This means that any unnecessary delay should be avoided.

Private and public law

Family law is that area of the law which regulates and deals with family and domestic relations, including, but not limited to, marriage, civil and domestic partnerships and the welfare of children. Where these matters are dealt with by courts, they are known as family proceedings. The person or body that brings the issue to court is known as the applicant and the person or body opposing the application is known as the respondent. In general terms applicants and respondents are known as parties to the proceedings.

¹ <http://www.legislation.gov.uk/ukpga/1989/41/contents>.

² See footnote 1.

Private law is that part of the family law where the state does not normally need to be involved. Private law proceedings involving Cafcass are usually about situations where parents have separated and they cannot agree where a child should live or with whom they should have contact. The law that established Cafcass states that it should only become involved in family proceedings where the welfare of the child is, or may be, in question.

Private law cases are dealt with through what is known as The Private Law Programme. This is designed to provide a framework for the consistent national approach to the resolution of issues in private law proceedings. It is designed to assist parties to reach safe agreements where possible, to provide a forum in which to find the best way to resolve issues in each individual case and to promote outcomes that are sustainable, that are in the best interests of children and that take account of their perspectives.

Public law is that part of the family law which deals with relationships between parents, or those with a parental role, where the state does need to be involved to ensure that a child does not suffer significant harm. Court proceedings are usually initiated by a local authority applying for a care or supervision order. This may result in the child being looked after by the local authority under a care order. Adoption-related applications are also normally public law proceedings.

Public law cases are dealt with through the Public Law Outline.³ This is a system aimed to control delay in family court public law proceedings. It was introduced across England and Wales in April 2009, with new Statutory Guidance for Local Authorities.

Review reports

These are reports that update the court about progress made, or lack of, to arrangements agreed by parties in court orders.

Section 37 enquiry

Section 37(1) of the Children Act 1989 sets out the following powers of the court: 'Where, in any family proceedings in which a question arises with respect to the welfare of any child, it appears to the court that it may be appropriate for a care or supervision order to be made with respect to him, the court may direct the appropriate authority to undertake an investigation of the child's circumstances.' The appropriate authority is the local area children's services.

Welfare checklist

The Children Act 1989 section 1(3) sets out what is known as the welfare checklist. It comprises seven features that should be balanced equally when courts consider whether an order should be made. The welfare checklist considers: children's wishes

³ For further information visit: www.justice.gov.uk/guidance/careproceedings.htm

and feelings; their physical, emotional and educational needs; the likely effect of any change in circumstances; characteristics that make up their identity; any harm suffered or at risk of suffering; parental capability; and the court's powers. The Adoption and Children Act 2002 section 120 extends the definition of harm within the meaning of the Children Act 1989 section 31, 'including, for example, impairment suffered from seeing or hearing the ill-treatment of another'.⁴ Under court rules, Cafcass practitioners are under a duty to have regard to 'the matters set out in section 1(3)'. Note: Requirements in regulations and court rules are not 'statutory' in that they are not set out in a statute and are therefore secondary legislation.

Schedule 2 letter

A Schedule 2 letter is provided to courts by Cafcass for first directions hearings in private law proceedings. The letter informs the court about whether there are any risk factors to children known at that stage in proceedings which the court should consider before deciding next steps. The duty on Cafcass to make risk assessments is set out in section 16A Children Act 1989.

⁴ <http://www.legislation.gov.uk/ukpga/2002/38/contents>

Record of main findings

Cafcass South Yorkshire and Humberside	
Overall effectiveness	Satisfactory
Capacity for improvement	Good
Meeting the needs of service users	
Ambition and prioritisation	Good
Performance management	Satisfactory
Workforce development	Satisfactory
Partnerships	Satisfactory
Equality and diversity	Satisfactory
Value for money	Good
Safeguarding	Satisfactory
Evaluation	Satisfactory
Quality of provision	
Service responsiveness	Good
Case planning and recording	Satisfactory
Assessment, intervention and direct work with children	Satisfactory
Reporting and recommendations to the court	Satisfactory
Complaints	Satisfactory