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Anthony Douglas  
Chief Executive  
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Dear Anthony,

## **Post-inspection monitoring: Ofsted inspection of Cafcass Birmingham and the Black Country (C5) 2009**

This letter contains the findings of the recent post-inspection monitoring carried out by Ofsted. The monitoring visit assessed progress made by Cafcass in implementing recommendations arising from the inspection of Cafcass Birmingham and the Black Country (C5) 2009. I would like to thank you and your staff for the assistance you provided to Jeremy Gleaden HMI and Joan Dennis HMI in carrying out this visit.

The inspection of Cafcass in Birmingham and the Black Country was the second of five inspections to pilot the new Ofsted framework. This post-inspection visit has also piloted the new approach to monitoring progress on the areas for improvement identified in the inspection report.

During the post-inspection monitoring visit, inspectors:

- met with the Head of Service and Head of Quality Improvement (Central)
- looked at the public and private law duty systems – interviewing each manager and having an ‘at desk’ conversation with the duty officer focusing on assessment of risk on unallocated cases
- read supervision files including a sample of staff in informal and formal procedures
- read a random sample of files from the private law early intervention team



- read a random sample of files of long term private and public law cases from two offices
- provided opportunities for the Head of Service to provide further evidence and respond to concerns arising from file reading
- met with the Operational Director (Central)
- fed back provisional judgements.

Cafcass also submitted further additional evidence in response to the monitoring visit. While some information related to matters that arose during the visit, some of this evidence might have been more usefully included with the Post-inspection monitoring self-evaluation form (PIM SEF).

## **Outcome of the inspection**

The inspection report about Cafcass Birmingham and the Black Country service area (C5) 2009 was published in February 2009 and outlined seven areas for improvement. The following priority actions were identified:

Immediately:

- ensure that work required by Cafcass's statutory duty is prioritised
- ensure that risk assessments are more robust and that priority is given to cases involving domestic violence.

Within three months:

- eradicate the backlog in private and public law cases
- ensure that a sustainable strategy is in place to deliver services in a timely fashion in the long term
- ensure that the performance management system is implemented consistently across the service and is well supported by robust and accurate data.

Within six months:

- secure meaningful participation by children, young people and families in improving services
- ensure that the impact of family disruption on all aspects of the Every Child Matters outcomes for children is considered fully in assessments and reports.

The original action plan submitted by the service following inspection was judged inadequate, but was subsequently sufficiently strengthened to become satisfactory.

Having considered the evidence provided within the PIM SEF, additional evidence provided by Cafcass, the on-site review of files, duty systems and interviews with key personnel, Ofsted judges that satisfactory progress has been made in six of the



seven areas for improvement with one area for action remaining inadequate. Taken together, this represents **satisfactory** progress overall.

### **Findings of the post-inspection monitoring visit:**

#### **Area for improvement 1: Cafcass should ensure that work required by statutory duty is prioritised.**

At the time of the inspection in February 2009 inspectors found that some key services were not being delivered to minimum standards and performance was weak in meeting some statutory functions. Inspectors also identified that some work by family support workers was not sufficiently focused on statutory functions.

#### **Evidence of progress provided by Cafcass included:**

- examples of work by family support workers that refocused on statutory responsibilities, specifically, direct work with children and young people to ascertain their wishes and feelings.

#### **Evidence gathered during the PIM visit included:**

- files read demonstrated that in all cases work being undertaken by Cafcass reflected the statutory requirement that the child's welfare 'is or maybe in question...'

**Satisfactory** progress has been made by Cafcass on this issue.

#### **Area for improvement 2: Cafcass should ensure that risk assessments are more robust and that priority is given to cases involving domestic violence.**

At the time of the inspection, inspectors found that the quality of risk assessments for children in families who have experienced domestic violence was inconsistent.

#### **Evidence of progress provided by Cafcass included:**

- the service has introduced an early intervention team in private law responsible for risk assessing work to first hearing
- all staff have completed basic risk assessment training and 50% have completed a more advanced training course; however, the service area does not have a target for when all staff will have completed this advanced course
- training has been reinforced by managers leading workshops with staff
- practice is overseen through quality assurance and audit activity, yet recent local data shows that the proportion of risk assessments completed in the period March to July 2009 was 41.8% in public law and 50.3% in private law cases; further, across the service area practice recorded on the Quality for Children system shows only 67% rated satisfactory or better for safeguarding.



**Evidence gathered during the PIM visit included:**

- files were structured and provided evidence of satisfactory recording and case planning in a majority of cases with some elements of good work
- most files seen by inspectors included a satisfactory risk assessment; practice concerning domestic violence has improved, was satisfactory in most cases and is better focused than at the time of the inspection
- inspectors saw evidence that the new intervention team in private law was risk assessing cases effectively
- the file sample identified a small number of cases that raised questions about safeguarding and risk assessment practice; these included case recording that did not fully enable inspectors to see what actions had been completed including child protection referrals; senior management review of the cases provided satisfactory explanations of actions taken to safeguard children
- practice observed in files also demonstrated some confusion among certain staff about when a concern should be the subject of a domestic violence notification to a local authority and when a child protection referral should be made.

**Satisfactory** progress has been made by Cafcass on this issue. However the issue of when and how cases should be referred to the local authority needs further clarity for staff and managers to ensure Cafcass's duties are fulfilled.

**Area for improvement 3: Cafcass should eradicate the backlog in private and public law cases.**

At the time of the inspection, inspectors found that a failure to allocate work in a timely way resulted in delays for children and young people in both public and private law.

**Evidence of progress provided by Cafcass included:**

- the introduction in May 2009 of the Private Law Pathway pilot, a nationally led initiative, which has resulted in there being no delay in response to, and initial assessment of, cases up to and including first hearing; this work is supported by the recently published interim guidance from the President of the Family Division
- against a significant national rise in public law applications by local authorities, Cafcass in this and other service areas has a backlog of cases; however, the service area states that cases are screened and prioritised and that it has plans in place to strengthen these arrangements further.



**Evidence gathered during the PIM visit included:**

- demand in private law application has risen recently and current data on allocation shows 83.3% of cases allocated as at 19 August 2009
- the demand in public law cases has resulted in more than 70 cases awaiting allocation
- while managers said they were reviewing the priority and risks associated with all cases awaiting allocation, inspectors did not see evidence of proactive review of unallocated cases, although the duty system was responsive to requests for allocation from, for example, children's solicitors
- the service provided evidence that during the post-inspection monitoring visit the system for reviewing unallocated cases was strengthened.

**Satisfactory** progress had been made by Cafcass on this issue with regard to private law. In public law, it is impossible to consider progress without reference to the significant recent rise in the number of care order applications made by local authorities. Cafcass, both in this service area and across the country is struggling to respond to this demand. The existing system for reviewing public law unallocated cases was not demonstrably effective when inspectors looked at duty officer practice. However, this weakness was immediately addressed by the Head of Service. At the time of the inspection in February, where cases had not been allocated and were on a waiting list, this was generally well managed and risk-assessed. In the context of these circumstances, inspectors are satisfied that **satisfactory** steps are being taken to manage the very challenging circumstances around public law allocation.

**Area for improvement 4: Cafcass should ensure that a sustainable strategy is in place to deliver services in a timely fashion in the long term.**

At the time of the inspection, inspectors found that Cafcass needed to ensure that its local strategy to tackle delay was sustainable in the long term.

**Evidence of progress provided by Cafcass included:**

- the service area budget (£3.5m for 2009–10) has been increased since the inspection by £450,000 in order to deliver the necessary improvements, including providing agency cover for managers and practitioners while performance issues are addressed
- the workforce has been strengthened to ensure that robust and sustainable change is now feasible; the area has appointed a new Head of Service with a track record of improvement, is currently recruiting for permanent service managers and has secured the services of skilled agency managers in the interim; other workforce issues are addressed elsewhere
- the area is trialling the president's revised Private Law Programme, and has developed a dedicated, specialist early intervention team to carry out all of the 'work to first hearing' stage of new private law cases



- early findings show that if current trends in demand and budget remain, this will give the service area adequate capacity to undertake all public law work for the forthcoming year.

**Evidence gathered during the PIM visit included:**

- inspectors were given the information above verbally, which was later confirmed in writing
- inspectors also saw the evidence detailed in Area for Improvement 3 above, which demonstrates the effectiveness of planning and implementation to date.

Satisfactory progress had been made by Cafcass on this issue, especially in the context of the recent increase in demand.

**Area for improvement 5: Cafcass should ensure that the performance management system is implemented consistently across the service and is well supported by robust and accurate data.**

At the time of the original inspection, inspectors found that while Cafcass nationally had introduced a good performance management system called Quality for Children, it had yet to be implemented consistently in this service area.

**Evidence of progress provided by Cafcass included:**

- audit, performance management and quality assurance systems are in place and being used by managers to effect change
- management and human resources staff are used effectively, proactively and proportionately to address poor and weak practice within the workforce including the successful replacement of a large proportion of the management team and the general workforce
- management information is being produced and used to monitor the effectiveness of performance management and quality improvement staff are appropriately supporting local managers.

**Evidence gathered during the PIM visit included:**

- most files demonstrated evidence of management oversight and quality assurance tools demonstrated challenge to practice improvement.
- in a minority of cases quality assurance was absent and some managers continue to grade work more highly than inspectors, but this did not include managers grading work satisfactory where it was not. This represents an improvement in practice since the inspection.

**Satisfactory** progress had been made by Cafcass on this issue. The service area demonstrated a rigorous approach to ensuring that the workforce is fit for purpose



and is making progress on the quality and effectiveness of its management oversight of the quality of practice.

**Area for improvement 6: Cafcass should secure meaningful participation by children, young people and families in improving services.**

At the time of the original inspection, inspectors found that action taken to ensure the active involvement of service users in improving service provision was inadequate.

**Evidence of progress provided by Cafcass included:**

- plans are in place to establish local participation groups for adults and children as part of the national framework for service participation by November 2009
- since the inspection Cafcass has introduced 'welcome packs' for service users which include children's 'z-cards' and leaflets and a peer mentoring service (throughout the country)
- two 'young inspectors' inspections have taken place, both rated good overall, which Cafcass says have had a positive local influence
- A Young People's Focus Group is planned for 15<sup>th</sup> September 2009 to consult on the changing model of delivery for the service area.

**Evidence gathered during the PIM visit included:**

- case files showed some good-quality work in ascertaining children's wishes and feelings in case work.

**Satisfactory** progress had been made by Cafcass in planning to address this issue, although, with the exception of the young inspectors' positive findings, the work to date has yet to provide evidence of actual impact on service design and delivery.

**Area for improvement 7: Cafcass should ensure that the impact of family disruption on all aspects of the Every Child Matters outcomes for children is considered fully in assessments and reports.**

At the time of the original inspection, inspectors found that the contribution of the service area to improving outcomes for children was inadequate overall and there was insufficient focus on all of the five Every Child Matters outcomes.

**Evidence of progress provided by Cafcass included:**

- an example of Every Child Matters outcomes being used to articulate the outcome of an assessment of a young person
- plans to implement a new assessment framework which will include Every Child Matters outcomes



- a management information tool for collection and tracking of impact on Every Child Matters outcomes.

**Evidence gathered during the PIM visit included:**

- an example of planning in a public law case which addressed each Every Child Matters outcome
- many examples of the management information tool for collection and tracking of impact on Every Child Matters outcomes on file, only one example of its completion and no evidence of either aggregation of data or the tool being used, or designed for, influencing a practitioner's assessment of the child at the outset.

**Inadequate** progress had been made by Cafcass on this issue.

The letter reporting on this post-inspection monitoring visit will be published on the Ofsted website by 18 September 2009 and sent to the Sponsorship Unit in the Department of Children, Schools and Families.

Yours sincerely



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Divisional Manager Safeguarding

cc:

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